

Customs (Prohibited Exports) Regulations 1958

Statutory Rules No. 5, 1958

made under the

Customs Act 1901

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**About this compilation**

**This compilation**

This is a compilation of the *Customs (Prohibited Exports) Regulations 1958* that shows the text of the law as amended and in force on 30 March 2023 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

**Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

**Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

**Editorial changes**

For more information about any editorial changes made in this compilation, see the endnotes.

**Modifications**

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

**Self‑repealing provisions**

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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Part 1—Preliminary

1 Name of Regulations

These Regulations are the *Customs (Prohibited Exports) Regulations 1958*.

2 Interpretation

(1) In these Regulations, unless the contrary intention appears:

***American Petroleum Institute 610 Standards*** means the document of that title:

(a) published by the American Petroleum Institute; and

(b) in force on the day on which Part 2 of Schedule 14A commences.

***American Society of Mechanical Engineers 1 Standards*** means the document of that title:

(a) published by the American Society of Mechanical Engineers; and

(b) in force on the day on which Part 2 of Schedule 14A commences.

***American Society of Mechanical Engineers 8 Standards*** means the document of that title:

(a) published by the American Society of Mechanical Engineers; and

(b) in force on the day on which Part 2 of Schedule 14A commences.

***arms or related matériel*** includes:

(a) weapons; and

(b) ammunition; and

(c) military vehicles and equipment; and

(d) paramilitary equipment; and

(e) spare parts for the things mentioned in paragraphs (a) to (c).

***asbestos*** has the same meaning as in the *Work Health and Safety Regulations 2011*.

***CAS Registry Number***, in relation to a chemical mentioned in Schedule 2, means the registry number:

(a) assigned to the chemical by the Chemical Abstracts Service, Columbus, Ohio, United States of America; and

(b) published by the Service in the journal *Chemical Abstracts*.

***CFC*** means a chlorofluorocarbon mentioned in Part 1 of Schedule 15, whether existing alone or in a mixture.

***defence and strategic goods list*** means the document:

(a) formulated by the Defence Minister, and published, as mentioned in paragraph 112(2A)(aa) of the Act; and

(b) known as the Defence and Strategic Goods List;

as amended by the Defence Minister and in force from time to time.

***DSGL technology*** has the meaning given by the *Defence Trade Controls Act 2012*.

***Foreign Minister*** means the Minister for Foreign Affairs.

***HBFC***means a hydrobromofluorocarbon that is mentioned in Part 6 of Schedule 15, whether existing alone or in a mixture.

***HCFC*** means a hydrochlorofluorocarbon mentioned in Part 5 of Schedule 15, whether existing alone or in a mixture.

***HFC*** means a substance mentioned in Part 9 of Schedule 15, whether existing alone or in a mixture.

Note: HFC is short for hydrofluorocarbon.

***human embryo clone*** has the meaning given by section 8 of the *Prohibition of Human Cloning for Reproduction Act 2002.*

***licensed exporter*** means a person who holds a licence granted under regulation 10A, being a licence that is in force.

***mercury*** means elemental mercury (Hg(0), CAS No. 7439‑97‑6), and includes mixtures of mercury (including alloys of mercury) with a mercury concentration of at least 95% by weight, but does not include non‑Minamata Convention mercury.

***nitrogen trifluoride*** means the substance referred to in Part 12 of Schedule 15, whether existing alone or in a mixture.

***non‑Minamata Convention mercury*** means any of the following:

(a) research mercury;

(b) naturally occurring trace quantities of mercury present in:

(i) products such as non‑mercury metals, ores or mineral products (including coal); or

(ii) products derived from the products mentioned in subparagraph (i);

(c) unintentional trace quantities of mercury in chemical products.

***paramilitary equipment*** means any of the following:

(a) batons, clubs, riot sticks and similar devices of a kind used for law enforcement purposes;

(b) body armour, including:

(i) bullet‑resistant apparel; and

(ii) bullet‑resistant pads; and

(iii) protective helmets;

(c) handcuffs, leg‑irons and other devices used for restraining prisoners;

(d) riot protection shields;

(e) whips;

(f) parts and accessories designed or adapted for use in, or with, equipment mentioned in paragraphs (a) to (e).

***PFC*** means a substance mentioned in Part 10 of Schedule 15, whether existing alone or in a mixture.

Note: PFC is short for perfluorocarbon.

***poppy straw*** means any part (other than the seeds) of either of the following:

(a) a plant of the species *Papaver somniferum* (otherwise known as opium poppy);

(b) a plant of the species *Papaver bracteatum*.

***research mercury*** means mercury to be used for laboratory‑scale research or as a reference standard.

***reviewable defence and strategic goods decision***: see regulation 13EE.

***security sensitive ammonium nitrate*** means any of the following:

(a) ammonium nitrate;

(b) an emulsion that is made up of more than 45 per cent ammonium nitrate;

(c) a mixture that is made up of more than 45 per cent ammonium nitrate;

but does not include ammonium nitrate in solution.

***SGG*** or ***synthetic greenhouse gas*** means any of the following:

(a) an HFC;

(b) nitrogen trifluoride;

(c) a PFC;

(d) sulfur hexafluoride.

***sulfur hexafluoride*** means the substance referred to in Part 11 of Schedule 15, whether existing alone or in a mixture.

***the Act*** means the *Customs Act 1901*.

***Work Health and Safety Minister*** means the Minister administering the *Work Health and Safety Act 2011*.

(2) In these Regulations, a reference to a Schedule by number shall be read as a reference to the Schedule so numbered to these Regulations.

Part 2—Exemptions

2A Exemption of goods specified in Schedule 3

(1) These Regulations do not apply in relation to the exportation of petroleum or petroleum products taken on board an aircraft or ship for the service of that aircraft or ship.

(2) In this regulation:

***aircraft*** and ***ship*** have the same meanings as in Part VII of the Act.

Part 3—Prohibited exports

Division 1—Miscellaneous prohibited exports

3 Exportation of objectionable goods

(1) In this regulation:

***authorised person*** means a person appointed to be an authorised person under subregulation (3).

***computer game*** means a computer program and associated data capable of generating a display on a computer monitor, television screen, liquid crystal display or similar medium that allows the playing of an interactive game.

***computer generated image*** means an image (including an image in the form of text) produced by use of a computer on a computer monitor, television screen, liquid crystal display or similar medium from electronically recorded data

***film*** includes a cinematograph film, a slide, video tape and video disc and any other form of recording from which a visual image, including a computer generated image, can be produced, but does not include a computer game.

***interactive game*** means a game in which the way the game proceeds and the result achieved at various stages of the game is determined in response to the decisions, inputs and direct involvement of the player.

***publication*** means a book, paper, magazine, film, computer game or other written or pictorial matter.

***responsible Minister*** means the Minister administering Part 2 of the *Classification (Publications, Films and Computer Games) Act 1995*.

***terrorist act*** has the same meaning as in section 100.1 of the *Criminal Code* (no matter where the action occurs, the threat of action is made or the action, if carried out, would occur).

Note: The definition of ***terrorist act*** in that section covers actions or threats of actions.

(2) This regulation applies to goods, including publications, that:

(a) describe, depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in a way that offends against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that the goods should not be exported; or

(b) describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or who appears to be, a child under 18 (whether the person is engaged in sexual activity or not); or

(d) promote, incite or instruct in matters of crime or violence; or

(e) promote or incite the misuse of a drug specified in Schedule 4 to the Customs (Prohibited Imports) Regulations; or

(f) advocate the doing of a terrorist act.

(2AA) Without limiting subregulation (2), this regulation also applies to a computer game classified RC (Refused Classification) under the *Classification (Publications, Films and Computer Games) Act 1995*.

(2A) For paragraph (2)(f), publications and any other goods advocate the doing of a terrorist act if they:

(a) directly or indirectly counsel, promote, encourage or urge the doing of a terrorist act; or

(b) directly or indirectly provide instructions on the doing of a terrorist act; or

(c) directly praise the doing of a terrorist act in circumstances where there is a substantial risk that such praise might have the effect of leading a person (regardless of his or her age or any mental impairment (within the meaning of section 7.3 of the *Criminal Code*) that the person might suffer) to engage in a terrorist act.

(2B) For paragraph (2)(f), publications and any other goods do not advocate the doing of a terrorist act if they depict or describe a terrorist act, but the depiction or description could reasonably be considered to be done merely as part of public discussion or debate or as entertainment or satire.

(3) The responsible Minister may, by instrument, appoint a person holding or performing the duties of the office of Director or Deputy Director of the Classification Board established by section 45 of the *Classification (Publications, Films and Computer Games) Act 1995* to be an authorised person for subregulation (4).

(4) The exportation of goods to which this regulation applies is prohibited unless:

(a) a written permission to export the goods has been given by the responsible Minister or an authorised person; or

(b) the goods are being exported by a police officer for the purposes of criminal investigation or law enforcement (including criminal prosecution).

(5) In considering whether to give a permission, the responsible Minister or an authorised person must have regard to:

(a) the purposes for which the goods are to be exported; and

(b) the extent to which the person to whom a permission would be given conducts activities of an artistic or educational, or of a cultural or scientific, nature to which the goods relate; and

(c) the reputation of the person referred to in paragraph (b), both generally and in relation to an activity referred to in that paragraph; and

(d) the ability of that person to meet conditions that may be imposed under subregulation (6) in relation to the goods; and

(e) any other relevant matters.

(6) A permission may specify conditions with which the holder of the permission must comply.

(7) The responsible Minister or an authorised person may revoke a permission if the holder of the permission fails to comply with a condition imposed under subregulation (6).

(8) Application may be made to the Administrative Appeals Tribunal for review of a decision of the responsible Minister or an authorised person:

(a) refusing to give a permission; or

(b) giving a permission subject to conditions; or

(c) revoking a permission.

(9) The responsible Minister may certify in writing that in his or her opinion it is in the public interest that a decision to give or refuse to give a permission should be made solely by the responsible Minister and should not be reviewable by the Administrative Appeals Tribunal.

(10) The responsible Minister must give a copy of a certificate under subregulation (9) to the person who sought the permission.

(11) A certificate must include a statement of the grounds on which the certificate is issued.

(12) While a certificate is in force in relation to a permission or a refusal of a permission, subregulation (8) does not apply to the permission or refusal.

(13)The responsible Minister must cause a copy of a certificate to be laid before each House of the Parliament within 15 sitting days of that House after the day on which the certificate is issued.

(14) If the responsible Minister or an authorised person:

(a) refuses to give a permission to a person; or

(b) gives a permission to a person subject to conditions; or

(c) revokes a permission given to a person;

he or she must inform the person of the decision by written notice within 30 days after making the decision.

(15) Unless the responsible Minister has given a certificate under subregulation (9), a notice under subregulation (14) must include:

(a) a statement to the effect that application may be made to the Tribunal under the *Administrative Appeals Tribunal Act 1975* for review of the decision to which the notice relates; and

(b) unless subsection 28(4) of that Act applies—a statement to the effect that a person who is entitled to apply to the Tribunal for review of the decision may, under section 28 of that Act, request a statement that includes the reasons for the decision.

(16) A contravention of subregulation (15) in relation to a decision does not affect the validity of the decision.

4 Exportation of asbestos or certain goods containing asbestos

(1) The exportation from Australia of asbestos, or goods mentioned in Schedule 1 that contain asbestos, is prohibited unless:

(a) the asbestos is, or goods are, hazardous waste as defined in section 4 of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*; or

(b) for the exportation:

(i) a confirmation from an authority of a State or Territory is in force stating that the asbestos is, or goods are, for research, analysis or display; and

(ii) a copy of the confirmation is produced to a Collector if the Collector requests; or

(c) for the exportation:

(i) a permission is in force under subregulation (3); and

(ii) a copy of the permission is produced to a Collector if the Collector requests; or

(d) the exportation is of raw materials that contain naturally occurring traces of asbestos.

(2) However, subregulation (1) does not prohibit exportation from Australia of goods, containing asbestos, that are incorporated into other goods in a way that does not constitute a risk to users until the asbestos in the goods is disturbed.

(3) For the purposes of paragraph (1)(c), the Work Health and Safety Minister, or a person authorised by that Minister, may in writing grant permission for the exportation of asbestos or goods containing asbestos.

(4) A permission under subregulation (3) may be granted subject to conditions or requirements to be complied with by a person either before or after the exportation.

4A Exportation of chemicals

Exportation of chemicals mentioned in Schedule 2

(1) The exportation from Australia of a chemical mentioned in Schedule 2, or a mixture or preparation containing a chemical mentioned in Schedule 2, is prohibited unless:

(a) if the chemical is an active constituent or a chemical product as defined in the Agricultural and Veterinary Chemicals Code set out in the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994*:

(i) a permission to export the chemical has been granted in writing under the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995*; and

(ii) the permission is produced to a Collector; or

(b) in any other case:

(i) a permission to export the chemical has been granted in writing by the Minister or an authorised officer under this regulation; and

(ii) the permission is produced to a Collector.

Exportation of mercury

(1AA) The exportation from Australia of mercury is prohibited unless:

(a) a permission to export the mercury has been granted in writing under any of the following:

(i) the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995*;

(ii) the *Industrial Chemicals (General) Rules 2019*;

(iii) the *Therapeutic Goods Regulations 1990*; and

(b) the permission is produced to a Collector.

Exportation of research mercury

(1AB) The exportation from Australia of research mercury is prohibited unless:

(a) both:

(i) a permission to export the chemical has been granted in writing under the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995*; and

(ii) the permission is produced to a Collector; or

(b) both:

(i) a permission to export the chemical has been granted in writing by the Minister or an authorised officer under this regulation; and

(ii) the permission is produced to a Collector.

Derivatives

(1A) To avoid doubt, if an item in Schedule 2 includes words describing a particular kind of derivative (for example, ‘salt’ or ‘ester’) of a chemical whose common name is set out in the item, the derivative so described is taken, for subregulation (1), to be a chemical mentioned in Schedule 2.

Applications and permissions

(2) An application for a permission under paragraph (1)(b) or (1AB)(b) must be:

(a) in writing; and

(b) lodged with an authorised officer.

(3) An authorised officer may ask an applicant for a permission under paragraph (1)(b) or (1AB)(b) to give to the authorised officer any information that the authorised officer or the Minister reasonably requires in order to decide whether the permission should be granted.

(4) If, on an application for a permission under paragraph (1)(b) or (1AB)(b), an authorised officer forms an opinion that the permission should not be granted:

(a) the authorised officer must refer the application to the Minister; and

(b) the Minister may grant, or refuse to grant, the permission.

(5) A permission granted under paragraph (1)(b), (1AB)(b) or (4)(b) may specify:

(a) conditions or requirements to be complied with by the holder of the permission; and

(b) when the holder must comply with a condition or requirement, whether before or after the exportation of the chemical to which the permission relates.

(6) If the holder of a permission granted under paragraph (1)(b), (1AB)(b) or (4)(b) does not comply with a condition or requirement of the permission, the Minister may, by writing, revoke the permission.

Definitions

(7) In this regulation:

***authorised officer*** means an officer of the Department administered by the Minister who is authorised in writing for the purposes of this regulation by the Minister.

***Minister*** means the Minister administering the *Agricultural and Veterinary Chemicals Code Act 1994*.

5 Exportation of goods specified in Schedule 3 (primary produce)

(1) A reference in this regulation to an authorised officer shall be read as a reference to a person who is:

(a) an officer or employee of the public service of the Commonwealth, a State or the Northern Territory; or

(b) an officer of, or employed by, an authority of the Commonwealth, a State or the Northern Territory;

being a person authorised in writing by the Minister to approve, for the purposes of these Regulations, the exportation of goods specified in Schedule 3.

(2) The exportation from Australia of the goods specified in Schedule 3 is prohibited unless an approval in writing for the exportation of the goods issued by the Minister or by an authorised officer is produced to the Collector.

(3) An export permit that is in force under the *Export Control Act 2020* in respect of goods specified in item 15 in Schedule 3 shall be taken to be an approval in writing issued under subregulation (2) for the exportation of the goods.

(4) In this regulation:

***Minister*** means the Minister administering the *Export Control Act 2020*.

6 Exportation of goods specified in Schedule 4 (toothfish)

(1) This regulation applies to fish of a species specified in Schedule 4, whether fresh, frozen, smoked, preserved in airtight containers or in any other form.

(2) The exportation from Australia of fish, or of parts of fish, to which this regulation applies is prohibited unless:

(a) a permission in writing to export the fish has been granted by the Minister or an authorised officer; and

(b) the permission is produced to the Collector.

(3) If, on an application for a permission under subregulation (2), an authorised officer forms an opinion that the permission should not be granted:

(a) the authorised officer must refer the application to the Minister; and

(b) the Minister may grant, or refuse to grant, the permission.

(4) A permission may specify:

(a) conditions or requirements to be complied with by the holder of the permission; and

(b) when the holder must comply with a condition or requirement, whether before or after the exportation of the fish to which the permission relates.

(5) If the holder of a permission does not comply with a condition or requirement of the permission, the Minister, by writing, may revoke the permission.

(6) The Minister may revoke a permission under subregulation (5) whether or not the holder of the permission is charged with an offence under subsection 112(2B) of the Act for not complying with the condition or requirement.

(7) In this regulation:

***authorised officer*** means an officer within the meaning of subsection 4(1) of the *Fisheries Management Act 1991* who is authorised by the Minister, in writing, for the purposes of this regulation.

***Minister*** means the Minister administering the *Fisheries Management Act 1991*.

8 Exportation of goods specified in Schedule 6 (human substances)

(1) In this regulation:

***authorised person*** means an officer of the Department authorised in writing by the Secretary for this regulation.

***Department*** means the department administered by the Minister with administrative responsibility for health.

***Secretary*** means the Secretary to the Department.

(2) The exportation from Australia of goods specified in Schedule 6 is prohibited unless:

(a) permission to export the goods has been granted under this regulation and is in force; and

(b) the permission is produced to the Collector.

(3) The Secretary, or an authorised person, may, on application, grant permission for the exportation of goods specified in Schedule 6.

(4) An application:

(a) must be in writing; and

(b) must be lodged with the Secretary.

(5) Notice of the grant of a permission must be in writing and may specify a condition or requirement that must be complied with by the person to whom the permission is granted.

(6) If the Secretary, or an authorised person, refuses to grant an application for a permission, he or she must notify the applicant in writing accordingly.

(7) The Secretary, or an authorised person, may revoke a permission by notice in writing to the holder of the permission, if:

(a) the holder fails to comply with a condition or requirement specified in the permission, whether or not the holder is charged under subsection 112(2B) of the Act with failure to comply with the condition or requirement; or

(b) the holder of the permission is convicted under that subsection for failure to comply with the condition or requirement.

(8) Application may be made to the Administrative Appeals Tribunal for review of a decision of the Secretary or of an authorised person:

(a) not to grant a permission; or

(b) to grant a permission specifying a condition or requirement; or

(c) to revoke a permission.

(9) Notice of a decision referred to in subregulation (8) is to include a statement to the effect that:

(a) subject to the *Administrative Appeals Tribunal Act 1975*, a person affected by the decision may make an application to the Administrative Appeals Tribunal for review of the decision; and

(b) a person whose interests are affected by the decision may request a statement under section 28 of that Act.

(10) A failure to comply with subregulation (9) does not affect the validity of the decision.

8A Exportation of viable material derived from human embryo clones

(1) In this regulation:

***authorised person*** means a person authorised in writing by the Minister for this regulation.

***Minister*** means the Minister administering the *Prohibition of Human Cloning for Reproduction Act 2002*.

***viable material*** means living tissue and cells.

Note: For the Minister administering the *Prohibition of Human Cloning for Reproduction Act 2002*, see the latest Administrative Arrangements Order, available on the internet at http://www.comlaw.gov.au.

(2) The exportation from Australia of viable material derived from human embryo clones is prohibited unless:

(a) the Minister or an authorised person has granted permission in writing; and

(b) the permission mentioned in paragraph (a) is produced to a Collector at or before the time of exportation.

(3) The permission may specify conditions or requirements, including times for compliance, to which the importation is subject.

(4) The Minister or an authorised person may, by notice in writing to the holder of the permission, revoke a permission granted under paragraph 2(a) if the holder of the permission engages in conduct that contravenes a condition or requirement mentioned in subregulation (3).

(5) For subregulation (4), the Minister or an authorised person may revoke the permission whether or not the holder of the permission is charged with an offence under subsection 112(2B) of the Act.

(6) Application may be made to the Administrative Appeals Tribunal for review of a decision of the Minister or of an authorised person:

(a) not to grant a permission; or

(b) to grant a permission specifying a condition or requirement; or

(c) to revoke a permission.

(7) Notice of a decision referred to in subregulation (6) is to include a statement to the effect that:

(a) subject to the *Administrative Appeals Tribunal Act 1975*, a person affected by the decision may make an application to the Administrative Appeals Tribunal for review of the decision; and

(b) a person whose interests are affected by the decision may request a statement under section 28 of that Act.

(8) A failure to comply with subregulation (7) does not affect the validity of the decision.

9 Exportation of goods specified in Schedule 7 (nuclear material)

(1) In this regulation:

***authorised person*** means a person authorised in writing by the Minister for this regulation.

***Minister*** means the Minister administering the *National Radioactive Waste Management Act 2012*.

(2) This regulation applies to the goods specified in Schedule 7.

(3) The exportation from Australia of goods to which this regulation applies is prohibited unless:

(a) a permission in writing to export the goods or a class of goods in which the goods are included has been granted by the Minister or an authorised person; and

(b) the permission is produced to the Collector.

(3A) A permission granted for the purposes of subregulation (3) (not being a permission so granted in exchange for a permission surrendered in accordance with subregulation (3B)) may specify, and a permission granted for the purposes of subregulation (3) in exchange for a permission surrendered in accordance with subregulation (3B) shall specify, that the permission may, subject to this regulation, be:

(a) assigned; or

(b) surrendered in exchange for the granting to the holder of the surrendered permission of another permission or other permissions to export goods of the same kind as the goods to which the surrendered permission relates.

(3B) Where a permission so specifies that the permission may be assigned or surrendered, the permission may be so assigned or surrendered only with the consent in writing of the Minister or an authorised person.

(3C) A permission referred to in subregulation (3B) may be assigned as provided by that subregulation notwithstanding that the permission has previously been assigned as provided by that subregulation.

(3D) A consent in writing under subregulation (3B) to the assignment of a permission shall be endorsed on or annexed to the permission.

(3E) A permission granted for the purposes of subregulation (3) may specify conditions or requirements to be complied with by the holder of the permission and may, in respect of any such condition or requirement, specify the time (being a time before or after the exportation of the goods to which the permission relates) at or before which the condition or requirement shall be complied with by the holder.

(3EA) The person who is the holder of the permission when the goods, for which the permission was granted, are exported must comply with any condition or requirement specified in the permission.

(3F) Where, in relation to the proposed assignment of a permission, being a permission that specifies conditions or requirements to be complied with by the holder of the permission, the Minister or an authorised person is of the opinion that any such condition or requirement is incapable of applying, or of applying without variation or modification, to the proposed assignee, the Minister or authorised person may, by writing endorsed on or annexed to the permission at the time of the giving of the consent to the assignment:

(a) omit that condition or requirement;

(b) vary or modify that condition or requirement to enable it to apply in relation to the assignee; or

(c) omit the condition or requirement and substitute other conditions or requirements, being conditions or requirements that are of the same kind as the omitted condition or requirement and are not inconsistent with any other condition or requirement specified in the permission.

(3G) Where:

(a) the Minister or an authorised person grants a permission or 2 or more permissions in exchange for surrendered permission; and

(b) the surrendered permission specifies conditions or requirements to be complied with by the permission;

the permission, or each permission, so granted shall specify, as conditions or requirements to be complied with by the holder of the permission:

(c) such of the conditions or requirements referred to in paragraph (b), with or without such variation or modification as the Minister or authorised person may consider necessary for the purpose, as are capable in the circumstances of applying in relation to the holder of the permission; and

(d) such other conditions or requirements, if any, being conditions or requirements not inconsistent with any of the conditions or requirements referred to in paragraph (c), as the Minister or authorised person may determine.

(3H) The Minister or an authorised person shall not unreasonably refuse:

(a) to grant a permission for the purposes of subregulation (3); or

(b) to consent to the assignment or surrender of a permission referred to in subregulation (3B).

(3J) Where:

(a) a permission granted for the purposes of subregulation (3) is subject to a condition or requirement to be complied with by a person; and

(b) the person fails to comply with the condition or requirement;

the Minister or an authorised person may revoke the permission, whether or not the person is charged with an offence against subsection 112(2B) of the Act in respect of the failure to comply with the condition or requirement.

9AA Exportation of rough diamonds

(1) In this regulation:

***authorised person*** means an employee of the Department authorised in writing by the Minister for this regulation.

***country*** includes an international organisation of states or a dependent territory of a country.

***Department*** means the Department administered by the Minister.

***Interlaken Declaration*** means the Interlaken Declaration of 5 November 2002 on the Kimberley Process Certification Scheme for Rough Diamonds.

***Kimberley Process*** means the international certification arrangement for rough diamonds adopted under the Interlaken Declaration.

***Kimberley Process Certificate*** means a certificate that meets the minimum requirements for certificates specified in Part A of Annex 1 of the document known as the Kimberley Process Certification Scheme which accompanied the Interlaken Declaration.

***Minister*** means the Minister administering the *Offshore Minerals Act 1994*.

***original certificate*** means the original Kimberley Process Certificateissued under subregulation (3).

***Participant*** means a country that is a Participant in the Kimberley Process.

***rough diamonds*** means diamonds that:

(a) are unworked or simply sawn, cleaved or bruted; and

(b) are classified under heading 7102.10.00, 7102.21.00 or 7102.31.00 of Schedule 3 to the *Customs Tariff Act 1995*.

(2) The exportation from Australia of rough diamonds is prohibited unless:

(a) the exporter holds a permission under this regulation; and

(b) the original certificate is produced to a Collector at or before the time of exportation; and

(c) the roughdiamonds are exported in a tamper resistant container.

(3) The Minister, or an authorised person, may, on application, grant a permission for the exportation of rough diamonds to a country by issuing a Kimberley Process Certificate.

(4) A permission:

(a) may be granted only if the country is a Participant; and

(b) ceases to be in force if the country ceases to be a Participant.

(5) A permission granted under this regulation is subject to the following conditions:

(a) any condition notified in writing to the applicant at the time the permission is granted;

(b) any condition specified on the Kimberley Process Certificate.

(6) If the holder of a permission fails to comply with a condition of the permission, the Minister, or an authorised person, in writing, may revoke the permission.

(7) The Minister, or an authorised person, may revoke a permission whether or not the holder of the permission is charged with an offence againstsubsection 112(2B) of the Act for failure to comply with the permission.

(8) The holder of a permission must:

(a) retain a copy of the original certificate for a period of 5 years after the time of exportation; and

(b) produce a copy of the original certificate to an employee of the Department if requested to do so within that period.

9AB Exportation of cat and dog fur

(1) In this regulation:

***authorised person*** means a person authorised in writing by the Minister for this regulation.

***cat fur*** means the pelt or hair of an animal of the species *Felis catus*.

***cat or dog fur product*** means a product or other thing that consists, wholly or partly, of cat fur or dog fur.

***dog fur*** means the pelt or hair of an animal of the species *Canis familiaris*.

(2) The exportation from Australia of cat fur, dog fur or a cat or dog fur product is prohibited unless:

(a) permission to export the goods has been granted under subregulation (3) and is in force; and

(b) the permission is produced to the Collector.

(3) The Minister, or an authorised person, may, on application, grant a permission, in writing, for the exportation of cat fur, dog fur or a cat or dog fur product.

(4) An application:

(a) must be in writing; and

(b) must be lodged with the Minister or an authorised person.

(5) The Minister, or an authorised person, may ask an applicant to give to the Minister or authorised person any information the Minister or authorised person may reasonably require for the purpose of making a decision in relation to the application.

(6) In deciding whether to grant a permission, the Minister, or an authorised person, may take into account any matter that the Minister or authorised person considers relevant.

(7) As soon as practicable after making a decision to grant, or not to grant, a permission, the Minister or authorised person must give written notice of the decision to the applicant.

(8) A permission granted under subregulation (3):

(a) may specify conditions or requirements to be complied with by the holder of the permission; and

(b) for any such condition or requirement, may specify the time (being a time either before or after the exportation of the goods to which the permission relates) at or before which the condition or requirement must be complied with by the holder of the permission.

(9) The Minister, or an authorised person, may revoke a permission if the Minister or authorised person is satisfied that the holder has failed to comply with a condition or requirement of the permission.

(10) If the Minister or an authorised person decides to revoke a permission, the Minister or authorised person must, as soon as practicable after making the decision, give written notice of the decision to the holder of the permission.

(11) Application may be made to the Administrative Appeals Tribunal for review of a decision of the Minister or of an authorised person:

(a) not to grant a permission; or

(b) to grant a permission subject to a condition or requirement; or

(c) to revoke a permission.

(12) Notice of a decision mentioned in subregulation (7) or (10) must include a statement to the effect that:

(a) subject to the *Administrative Appeals Tribunal Act 1975*, a person affected by the decision may make an application to the Administrative Appeals Tribunal for review of the decision; and

(b) a person whose interests are affected by the decision may request a statement under section 28 of that Act.

(13) A failure to comply with subregulation (12) does not affect the validity of the decision.

9AC Exportation of security sensitive ammonium nitrate

The exportation from Australia of security sensitive ammonium nitrate (***SSAN***) is prohibited unless:

(a) both of the following requirements are met:

(i) permission (whether in the form of a licence or otherwise) for the exportation of the SSAN has been granted in writing by an authority of the State or Territory where the SSAN is located immediately before exportation; and

(ii) the permission is produced to a Collector; or

(b) permission to export the SSAN is not required under the law of the State or Territory where the SSAN is located immediately before exportation.

9AD Exportation of goods specified in Schedule 7A (high activity radioactive sources)

(1) In this regulation:

***authorised officer*** means:

(a) the CEO of ARPANSA, within the meaning of section 14 of the *Australian Radiation Protection and Nuclear Safety Act 1998*, appointed in writing by the Minister as an authorised officer for this regulation; or

(b) an APS employee assisting the CEO in accordance with section 58 of that Act, appointed in writing by the Minister as an authorised officer for this regulation.

***high activity radioactive source*** means a radioactive source mentioned in an item in the table in Schedule 7A that has an activity level, measured in Becquerel, that is equal to, or more than, the level specified in the item.

***Minister*** means the Minister administering the *Australian Radiation Protection and Nuclear Safety Act 1998*.

***radioactive source*** means radioactive material that:

(a) is permanently sealed in a capsule or is closely bonded in a solid form; or

(b) was permanently sealed in a capsule, or was closely bonded in a solid form, until it was released as a result of leakage or breakage.

(2) The exportation from Australia of a high activity radioactive source is prohibited unless:

(a) a permission in writing to export the radioactive source has been granted by the Minister or an authorised officer; and

(b) the permission is shown to a Collector.

(3) In deciding whether to grant a permission, the Minister or authorised officer must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s international obligations.

(4) If, in relation to an application for a permission to export a high activity radioactive source, an authorised officer has formed an opinion that the permission should not be granted, the authorised officer must refer the application to the Minister.

(5) If an application is referred to the Minister under subregulation (4), the Minister may grant, or refuse to grant, the permission.

(6) A permission granted by the Minister or authorised officer may specify:

(a) conditions to be complied with by the holder of the permission; and

(b) the time for compliance with a condition mentioned in paragraph (a) (which may be before or after the exportation of the radioactive source to which the permission relates); and

(c) the quantity of the radioactive source that may be exported; and

(d) the circumstances in which the radioactive source may be exported.

(7) The Minister may, in writing, revoke or modify a permission granted under this regulation if the Minister is satisfied, on reasonable grounds, that:

(a) a condition of the permission has not been complied with; or

(b) without the modification, a condition of the permission is unlikely to be complied with; or

(c) permitting, or continuing to permit, the exportation of the radioactive source in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

Division 2—Drugs and precursor substances

9A Definitions for Division 2

(1) In this Division:

***1988 Convention*** has the same meaning as ***Convention*** has in the *Crimes (Traffic in Narcotic Drugs and Psychotropic Substances) Act 1990*.

***active principle*** includes an active isomer or a mixture of isomers of a drug.

***authorised person*** means an officer of the Department authorised in writing by the Secretary for the regulation in which the expression appears.

***Department*** means the Department administered by the Minister administering the *Therapeutic Goods Act 1989*.

***derivative*** means a substance chemically derived from a drug or from which a drug may be regenerated, including a salt.

***drug*** means a narcotic drug or a psychotropic substance, including a chemical or compound and a plant or a part of a plant, but not including a preparation that is a narcotic preparation within the meaning of Schedule 3 to the Single Convention.

***narcotic drug*** means a drug that is a drug for the purposes of the Single Convention.

***precursor substance*** means a substance mentioned in Schedule 9.

***psychotropic substance*** means a substance that is a psychotropic substance for the purposes of the Psychotropic Substances Convention, including a preparation within the meaning of that Convention.

***Psychotropic Substances Convention*** means the Convention on Psychotropic Substances that was adopted and opened for signature at Vienna on 21 February 1971.

***Schedule 8 drug*** means a drug mentioned in Schedule 8.

***Secretary*** means the Secretary to the Department.

***the Single Convention*** has the same meaning as ***the Convention*** has in the *Narcotic Drugs Act 1967*.

(2) For this Division, an item in Schedule 8 is taken to include the name, in addition to the name of the drug specified in the item, of each substance that is a drug because it is:

(a) an active principle or derivative of the drug the name of which is specified in the item; or

(b) a derivative of an active principle, the name of which is specified in the item.

(3) For this Division, goods (including goods in the form of a preparation, mixture or solution) that do not consist wholly of a drug but consist in part of, or contain, a drug, are taken to consist of the drug.

10 Exportation of goods specified in Schedule 8 (drugs)

(1) The exportation from Australia of a Schedule 8 drug is prohibited:

(a) unless:

(i) the drug is exported from Australia by a licensed exporter; and

(ii) the Secretary or an authorised person has, by an instrument in writing that is in force, granted permission for the licensed exporter to export the drug to a specified country; and

(iii) the drug is exported from Australia within 3 months after the Secretary or an authorised person granted the permission or within any further period allowed from time to time by the Secretary or an authorised person and specified in the permission; and

(iv) the drug is consigned to the country to which the Secretary or an authorised person has, by the instrument, granted the licensed exporter permission to export the drug; and

(v) the licensed exporter, if asked by the Collector, produces the permission to the Collector; or

(b) unless the drug is exported from Australia by a person on board a ship or aircraft, if the drug:

(i) is not a drug listed in Schedule IV to the Single Convention; and

(ii) is required for the medical treatment of the person or of another person under the care of the person; and

(iii) was prescribed by a medical practitioner for that treatment; and

(iv) was supplied to the person in accordance with the prescription of the medical practitioner mentioned in subparagraph (iii); or

(c) unless the drug is exported from Australia by a person on board a ship or aircraft, if the drug:

(i) is not a drug listed in Schedule IV to the Single Convention; and

(ii) is required for the medical treatment of the person or of another person under the care of the person; and

(iii) is included in Schedule 2 or Schedule 3 to the current Poisons Standard within the meaning of section 52A of the *Therapeutic Goods Act 1989*; and

(iv) is being exported in an amount that does not exceed:

(A) if the drug is a divided dosage product (including tablets and capsules) and pseudoephedrine is the sole active ingredient—30 dosage units; or

(B) if the drug is a divided dosage product (including tablets and capsules) and it contains pseudoephedrine in combination with other active ingredients—50 dosage units; or

(C) in any other case—3 months supply of the recommended daily dosage of the drug; or

(d) unless the drug is exported from Australia by a person on board a ship or aircraft, if the drug:

(i) is not a drug listed in Schedule IV to the Single Convention; and

(ii) is required for the medical treatment of an animal that is being exported and is under the care of the person; and

(iii) was prescribed by a veterinarian for the treatment; and

(iv) was supplied to the person in accordance with the prescription of the veterinarian mentioned in subparagraph (iii); or

(e) unless the drug is exported from Australia by a person on board a ship or aircraft if the drug:

(i) is not a drug listed in Schedule IV to the Single Convention; and

(ii) is required for the medical treatment of an animal under the care of the person; and

(iii) is included in Schedule 2 or Schedule 3 to the current Poisons Standard within the meaning of section 52A of the *Therapeutic Goods Act 1989*; and

(iv) is being exported in an amount that does not exceed:

(A) if the drug is a divided dosage product (including tablets and capsules) and pseudoephedrine is the sole active ingredient—30 dosage units; or

(B) if the drug is a divided dosage product (including tablets and capsules) and it contains pseudoephedrine in combination with other active ingredients—50 dosage units; or

(C) in any other case—3 months supply of the recommended daily dosage of the drug; or

(f) unless the drug is exported from Australia on a ship or aircraft if:

(i) the drug is not a drug listed in Schedule IV to the Single Convention; and

(ii) the drug is for first‑aid or emergency purposes during the ship’s voyage or the aircraft’s flight; and

(iii) the amount of the drug being exported is consistent with the number of passengers and crew on board the ship or aircraft and the duration of the voyage or flight; or

(g) unless the drug is exported from Australia by a person on board a ship or aircraft if:

(i) the drug is not a drug listed in Schedule IV to the Single Convention; and

(ii) the person is a medical practitioner, nurse or paramedic; and

(iii) the person is exporting the drug for providing emergency medical treatment to another person; and

(iv) the amount of the drug being exported is consistent with the treatment of that other person.

(2) The exportation of a Schedule 8 drug from Australia to another country by post is prohibited unless the Secretary or an authorised person has, in the instrument granting a licensed exporter permission to export the drug to the other country, or in another instrument in writing that is in force, authorised the exportation of the drug by post to the other country.

(3) An application for a permission to export a Schedule 8 drug:

(a) must be in writing; and

(b) must be lodged with the Secretary; and

(c) must state the country to which the drug is to be exported; and

(d) for a drug specified in Part 1 or 2 of Schedule 8—must be accompanied by an authorisation from the appropriate governmental authority of the country to which the drug is to be exported authorising the importation of the drug into that country.

(4) If the Secretary or an authorised person refuses to grant an application for a permission under subparagraph (1)(a)(ii) or subregulation (2), the Secretary or authorised person must tell the licensed exporter in writing.

10AA Drugs that may be exported—Ministerial approval

The Minister administering the *Therapeutic Goods Act 1989* may, on the recommendation of the Secretary, by legislative instrument, approve the exportation from Australia of a Schedule 8 drug that meets one or more of the following:

(a) the drug is specified in, or included in a class of drugs specified in, the approval;

(b) the drug is exported in a form (including a concentration) specified in the approval;

(c) the drug is exported by a person, or class of persons, specified in the approval;

(d) the drug does not exceed a value or amount specified in the approval;

(e) the drug is exported in a way, or by a means, specified in the approval.

10AB Exportation of goods specified in Schedule 9 (precursor substances)

(1) The exportation from Australia of a precursor substance mentioned in Part 1 of Schedule 9 is prohibited unless:

(a) the substance is exported from Australia by a licensed exporter; and

(b) the conditions mentioned in subregulation (4) are met in relation to the export of the substance.

(2) The exportation from Australia of more than 100 litres of a precursor substance mentioned in Part 2 of Schedule 9 is prohibited unless:

(a) the substance is exported from Australia by a licensed exporter; and

(b) if the substance is to be exported to a country mentioned in a notice under subregulation (3)—the conditions mentioned in subregulation (4) are met in relation to the export of the substance.

(3) The Secretary may publish in the *Gazette* a notice listing countries for paragraph (2)(b).

(4) For subregulations (1) and (2), the conditions are that:

(a) the licensed exporter has notified the Secretary at least 5 days before the exporter intends to export the substance; and

(b) the Secretary or an authorised person has not, by an instrument in writing, notified the licensed exporter that the licensed exporter cannot export the substance; and

(c) the substance is exported within 3 months after the date when the notification mentioned in paragraph (a) was received by the Secretary; and

(d) the amount of the substance is not greater than the amount specified in the notification mentioned in paragraph (a); and

(e) the substance is consigned to the country specified in the notification mentioned in paragraph (a); and

(f) when requested by a Collector, the licensed exporter produces the notification mentioned in paragraph (a) to the Collector.

(5) A notification under paragraph (4)(a) must:

(a) be in writing; and

(b) be in the form approved by the Secretary; and

(c) state:

(i) the country to which the substance is to be exported; and

(ii) the quantity of the substance that is to be exported.

10A Licensed exporters

(1) An application for the grant of a licence to export a Schedule 8 drug, or an application for the grant of a licence to export a precursor substance, must:

(a) be in writing; and

(b) be lodged with the Secretary.

(2) The Secretary or an authorised person may grant an application for a licence to export a Schedule 8 drug only if the grant would be consistent with the requirements mentioned in regulation 10C that are appropriate to the drug.

(2A) The Secretary or an authorised person may grant an application for a licence to export a precursor substance only if the grant would be consistent with the requirements mentioned in regulation 10CA that are appropriate to the precursor substance.

(3) A licence granted under subregulation (2) remains in force for the period mentioned in the licence.

(4) However, the Secretary or an authorised person may revoke a licence granted under subregulation (2) if:

(a) the holder of the licence has failed to comply with a condition of the licence; or

(b) it would not be consistent with the requirements mentioned in regulation 10C that are appropriate to the drug to which the licence relates for the licence to continue in force.

(4A) A licence granted under subregulation (2A) remains in force for the period mentioned in the licence.

(4B) However, the Secretary or an authorised person may revoke a licence granted under subregulation (2A) if:

(a) the holder of the licence has failed to comply with a condition of the licence; or

(b) it would not be consistent with the requirements mentioned in regulation 10CA that are appropriate to the precursor substance to which the licence relates for the licence to continue in force.

(5) If the Secretary or an authorised person refuses to grant an application for a licence, he or she must notify the applicant in writing accordingly.

(6) If the Secretary or an authorised person revokes a licence, he or she must notify the holder of the licence in writing accordingly.

10B Conditions of licences under regulation 10A

(1) A licence granted under regulation 10A is subject to the following conditions:

(a) for each Schedule 8 drug or each precursor substance exported by the exporter from Australia, the licensed exporter must keep the following records:

(i) the date when the exporter exports any quantity of the drug or precursor substance;

(ii) the quantity of the drug or precursor substance the exporter exports on that date;

(iii) the export permit number for the export of the drug or precursor substance;

(iv) the name and address of the person to whom the drug or precursor substance is exported;

(b) the exporter must keep the records until the Secretary or an authorised person approves the destruction of the records;

(c) the exporter must, if required to do so by the Secretary, an authorised person or the Comptroller‑General of Customs, at any reasonable time of the day, produce the records for examination by, and permit extracts from or copies of the records to be taken by an officer authorised by the Secretary, an authorised person or the Comptroller‑General of Customs;

(d) the exporter must, within 5 days after the end of a report week, give to the Secretary a return setting out the information mentioned in paragraph (a) for the report week;

(e) the exporter must, if required to do so by the Secretary, an authorised person or the Comptroller‑General of Customs, take any precautions necessary to ensure that there is no danger of loss or theft of a drug or a precursor substance in the exporter’s possession.

(2) The Secretary must, before the commencement of each calendar year, by notice published in the *Gazette*, set out the periods that are, for this regulation, report weeks for that year.

(3) The Secretary must, before 1 August 2002, by notice published in the *Gazette*, set out the periods that are, for this regulation, report weeks for the period beginning on 1 August 2002 and ending on 31 December 2002.

(4) In this regulation:

***report week*** means a week mentioned in a notice under subregulation (2) or (3).

10C Requirements appropriate to drugs

The requirements appropriate to drugs that are, or are deemed to be, narcotic drugs are the requirements of the Single Convention and the requirements appropriate to drugs that are psychotropic substances are the requirements of the Psychotropic Substances Convention.

10CA Requirements appropriate to precursor substances

The requirements appropriate to precursor substances are the requirements under the 1988 Convention that apply in respect of the substances listed in Table II of the 1988 Convention.

10D Drugs deemed to be narcotic drugs

For the purposes of this Division, a drug that is not a narcotic drug or a psychotropic substance shall be deemed to be a substance specified in Schedule II to the Single Convention.

10E Exercise of powers by Secretary, Comptroller‑General of Customs or authorised person

The Secretary, an authorised person or the Comptroller‑General of Customs, in exercising a power or performing a function under regulation 10, 10AB, 10A or 10B must have regard only to those requirements mentioned in regulation 10C or 10CA that are appropriate.

10F Review of decisions—exportation of Schedule 8 drugs and precursor substances

(1) Application may be made to the Administrative Appeals Tribunal for review of a decision of the Secretary or of an authorised person:

(a) not to grant a permission under subparagraph 10(1)(a)(ii); or

(b) not to allow the export of a precursor substance under paragraph 10AB(4)(b); or

(c) not to grant a licence under subregulation 10A(2) or (2A); or

(d) to revoke a licence under subregulation 10A(4) or (4B).

(2) Notice of a decision referred to in subregulation (1) is to include a statement to the effect that:

(a) subject to the *Administrative Appeals Tribunal Act 1975*, a person affected by the decision may make an application to the Administrative Appeals Tribunal for review of the decision; and

(b) a person whose interests are affected by the decision may request a statement under section 28 of that Act.

(3) A failure to comply with subregulation (2) does not affect the validity of the decision.

Division 2A—Exportation of goods in relation to autonomous sanctions

11 Exportation of export sanctioned goods to countries under autonomous sanctions

(1) In this Division:

***controlled asset*** has the same meaning as in the *Autonomous Sanctions Regulations 2011*.

***export sanctioned goods*** means goods that:

(a) are mentioned in an item of the table in subregulation 4(2) of the *Autonomous Sanctions Regulations 2011*; or

(b) have been designated as export sanctioned goods under subregulation 4(3) of those Regulations.

Note: The items of the table in subregulation 4(2) of the *Autonomous Sanctions Regulations 2011* identify countries and the goods that are export sanctioned goods for those countries. A designation under subregulation 4(3) of those Regulations identifies countries and the goods that are export sanctioned goods for those countries.

(2) The exportation of export sanctioned goods is prohibited if:

(a) the immediate or final destination of the goods is, or is intended to be, the country for which they are export sanctioned goods; and

(b) the exportation is not authorised in accordance with a permit granted under paragraph 18(1)(a) of the *Autonomous Sanctions Regulations 2011*.

(3) The exportation of goods is prohibited if:

(a) the goods are goods to which subregulation 4(4) of the *Autonomous Sanctions Regulations 2011* applies; and

(b) the exportation is not authorised in accordance with a permit granted under paragraph 18(1)(a) of those Regulations.

11A Exportation of goods to designated persons and entities under autonomous sanctions

The exportation of goods other than a controlled asset is prohibited if:

(a) the goods are to be exported, directly or indirectly, either to, or for the benefit of a person or entity that has been designated under paragraph 6(a) or 6A(1)(a), (2)(a), (4)(a), (5)(a), (8)(a) or (9)(a) of the *Autonomous Sanctions Regulations 2011*; and

(b) the exportation is not authorised in accordance with a permit granted under regulation 18 of the *Autonomous Sanctions Regulations 2011*.

Note: The items of the table in regulation 6 of the *Autonomous Sanctions Regulations 2011* identify countries and the persons and entities who may be designated as designated persons or entities for those countries.

11B Exportation of controlled assets under autonomous sanctions

The exportation of a controlled asset is prohibited if the exportation is not authorised in accordance with a permit granted under regulation 18 of the *Autonomous Sanctions Regulations 2011*.

Note: Under the *Autonomous Sanctions Regulations 2011*, a controlled asset is an asset that is owned or controlled by a person or entity that has been designated as a designated person or entity in accordance with paragraph 6(a) or 6A(1)(a), (2)(a), (4)(a), (5)(a), (8)(a) or (9)(a) of those Regulations.

Division 3—Exportation of goods to certain countries

13CI Exportation of arms or related matériel to Afghanistan

(1) In this regulation:

***authorised person*** means an officer of the Department administered by the Foreign Minister authorised in writing by the Foreign Minister to give permissions under this regulation.

(2) The exportation of arms or related matériel (other than goods listed in the defence and strategic goods list) the immediate or final destination of which is, or is intended to be, Afghanistan is prohibited unless the written permission of the Foreign Minister or an authorised person is produced to a Collector at or before the time of exportation.

Note: See regulation 13E in relation to the export of goods listed in the defence and strategic goods list.

(2A) An application for the written permission of the Foreign Minister or an authorised person mentioned in subregulation (2) must:

(a) be in the approved form; and

(b) contain the information required by the approved form; and

(c) be signed as indicated by the approved form.

(3) A permission granted under subregulation (2) may specify, in relation to the exportation of goods that it permits:

(a) conditions or requirements, including times for compliance, to which the exportation is subject; and

(b) the quantity of goods that may be exported; and

(c) the circumstances in which goods may be exported.

(4) The Foreign Minister may revoke or modify a permission granted under subregulation (2) if the Foreign Minister is satisfied on reasonable grounds that:

(a) a condition or requirement of the permission has not been complied with, or is unlikely to be complied with unless modified; or

(b) permitting, or continuing to permit, the exportation of goods in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

(5) When deciding whether to give permission under subregulation (2), the Foreign Minister or an authorised person must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s obligations under international law.

13CJ Exportation of acetic anhydride

The exportation of acetic anhydride the immediate or final destination of which is, or is intended to be, Afghanistan is prohibited absolutely.

13CK Exportation of arms or related matériel to Liberia

(1) In this regulation:

***authorised person*** means an officer of the Department administered by the Foreign Minister authorised in writing by the Foreign Minister to give permissions under this regulation.

(2) The exportation of arms or related matériel (other than goods listed in the defence and strategic goods list) the immediate or final destination of which is, or is intended to be, Liberia is prohibited unless the written permission of the Foreign Minister or an authorised person is shown to a Collector at or before the time of exportation.

Note: See regulation 13E in relation to the export of goods listed in the defence and strategic goods list.

(2A) An application for the written permission of the Foreign Minister or an authorised person mentioned in subregulation (2) must:

(a) be in the approved form; and

(b) contain the information required by the approved form; and

(c) be signed as indicated by the approved form.

(3) A permission granted under subregulation (2) may state, in relation to the exportation of goods that it permits:

(a) conditions or requirements, including times for compliance, to which the exportation is subject; and

(b) the quantity of goods that may be exported; and

(c) the circumstances in which goods may be exported.

(4) The Foreign Minister may revoke or modify a permission granted under subregulation (2) if the Foreign Minister is satisfied on reasonable grounds that:

(a) a condition or requirement of the permission has not been complied with, or is unlikely to be complied with unless modified; or

(b) permitting, or continuing to permit, the exportation of goods in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

(5) When deciding whether to give permission under subregulation (2), the Foreign Minister or an authorised person must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s obligations under international law.

13CL Exportation of arms or related matériel to the Democratic Republic of the Congo

(1) In this regulation:

***authorised person*** means an employee of the Department of Foreign Affairs and Trade authorised in writing by the Foreign Minister to give permissions under this regulation.

(2) The exportation of arms or related matériel (other than goods listed in the defence and strategic goods list) the immediate or final destination of which is, or is intended to be, the Democratic Republic of the Congo is prohibited unless the written permission of the Foreign Minister or an authorised person is shown to a Collector at or before the time of exportation.

Note: See regulation 13E in relation to the export of goods listed in the defence and strategic goods list.

(2A) An application for the written permission of the Foreign Minister or an authorised person mentioned in subregulation (2) must:

(a) be in the approved form; and

(b) contain the information required by the approved form; and

(c) be signed as indicated by the approved form.

(3) A permission granted under subregulation (2) may state, in relation to the exportation of goods that it permits:

(a) conditions or requirements, including times for compliance, to which the exportation is subject; and

(b) the quantity of goods that may be exported; and

(c) the circumstances in which goods may be exported.

(4) The Foreign Minister may revoke or modify a permission granted under subregulation (2) if the Foreign Minister is satisfied on reasonable grounds that:

(a) a condition or requirement of the permission has not been complied with, or is unlikely to be complied with unless modified; or

(b) permitting, or continuing to permit, the exportation of goods in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

(5) When deciding whether to give permission under subregulation (2), the Foreign Minister or an authorised person must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s obligations under international law.

13CM Exportation of arms or related matériel to Sudan

(1) In this regulation:

***authorised person*** means an employee of the Department of Foreign Affairs and Trade authorised in writing by the Foreign Minister to give permissions under this regulation.

(2) The exportation of arms or related matériel (other than goods listed in the defence and strategic goods list) the immediate or final destination of which is, or is intended to be, Sudan is prohibited unless the written permission of the Foreign Minister or an authorised person is shown to a Collector at or before the time of exportation.

Note: See regulation 13E in relation to the export of goods listed in the defence and strategic goods list.

(2A) An application for the written permission of the Foreign Minister or an authorised person mentioned in subregulation (2) must:

(a) be in the approved form; and

(b) contain the information required by the approved form; and

(c) be signed as indicated by the approved form.

(3) A permission granted under subregulation (2) may state, in relation to the exportation of goods that it permits:

(a) conditions or requirements, including times for compliance, to which the exportation is subject; and

(b) the quantity of goods that may be exported; and

(c) the circumstances in which goods may be exported.

(4) The Foreign Minister may revoke or modify a permission granted under subregulation (2) if the Foreign Minister is satisfied on reasonable grounds that:

(a) a condition or requirement of the permission has not been complied with, or is unlikely to be complied with unless modified; or

(b) permitting, or continuing to permit, the exportation of goods in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

(5) When deciding whether to give permission under subregulation (2), the Foreign Minister or an authorised person must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s obligations under international law.

13CN Exportation of certain goods to Côte d’Ivoire

(1) In this regulation:

***authorised person*** means a person authorised under subregulation (6).

(2) The exportation of a good mentioned in the following table for which the immediate or final destination is, or is intended to be, Côte d’Ivoire is prohibited unless the written permission of the Foreign Minister or an authorised person is shown to a Collector at or before the time of exportation.

| Item | Goods |
| --- | --- |
| 1 | arms or related matériel (other than goods listed in the defence and strategic goods list) |
| 2 | vehicles |

Note: See regulation 13E in relation to the export of goods listed in the defence and strategic goods list.

(2A) An application for the written permission of the Foreign Minister or an authorised person mentioned in subregulation (2) must:

(a) be in the approved form; and

(b) contain the information required by the approved form; and

(c) be signed as indicated by the approved form.

(3) A permission granted under subregulation (2) may state, in relation to the exportation of goods that it permits:

(a) conditions or requirements, including times for compliance, to which the exportation is subject; and

(b) the quantity of goods that may be exported; and

(c) the circumstances in which goods may be exported.

(4) The Foreign Minister may revoke or modify a permission granted under subregulation (2) if the Foreign Minister is satisfied on reasonable grounds that:

(a) a condition or requirement of the permission has not been complied with, or is unlikely to be complied with unless modified; or

(b) permitting, or continuing to permit, the exportation of goods in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

(5) When deciding whether to give permission under subregulation (2), the Foreign Minister or an authorised person must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s obligations under international law.

(6) The Foreign Minister may authorise an SES employee or acting SES employee of the Department administered by the Foreign Minister to give permissions under this regulation.

13CO Exportation of goods to Democratic People’s Republic of Korea

(1) In this regulation:

***authorised person*** means an officer of the Department administered by the Foreign Minister authorised in writing by the Foreign Minister to give permissions under this regulation.

***luxury goods list*** means the luxury goods list (if any) determined by the Foreign Minister under subregulation 5(2) of the *Charter of the United Nations (Sanctions—Democratic People’s Republic of Korea) Regulations 2008*.

(2) Subject to subregulation (2AA), the exportation of all goods, the immediate or final destination of which is, or is intended to be, the Democratic People’s Republic of Korea, is prohibited unless the written permission of the Foreign Minister or an authorised person is shown to a Collector at or before the time of exportation.

(2AA) Subregulation (2) does not apply to the following:

(a) food (except goods included on the luxury goods list);

(b) medicine;

(c) accompanied personal or household effects (except arms or related matériel) of a person who is a passenger, or a member of the crew, of a ship or aircraft, being effects that a Collector reasonably believes to be for the personal use of that person.

(2AB) For the purposes of paragraph (2AA)(c), a Collector may take into account the quantities of the accompanied personal or household effects. This subregulation does not limit the matters a Collector may take into account.

(2A) An application for the written permission of the Foreign Minister or an authorised person mentioned in subregulation (2) must:

(a) be in the approved form; and

(b) contain the information required by the approved form; and

(c) be signed as indicated by the approved form.

(3) A permission granted under subregulation (2) may state, in relation to the exportation of the goods that it permits:

(a) conditions or requirements, including times for compliance, to which the exportation is subject; and

(b) the quantity of the goods that may be exported; and

(c) the circumstances in which the goods may be exported.

(4) The Foreign Minister may revoke or modify a permission granted under subregulation (2) if the Foreign Minister is satisfied on reasonable grounds that:

(a) a condition or requirement of the permission has not been complied with, or is unlikely to be complied with unless modified; or

(b) permitting, or continuing to permit, the exportation of the goods in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

(5) When deciding whether to give permission under subregulation (2), the Foreign Minister or an authorised person must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s obligations under international law.

13CP Exportation of arms or related matériel to Lebanon

(1) In this regulation:

***authorised person*** means an employee of the Department administered by the Foreign Minister authorised in writing by the Foreign Minister to give permissions under this regulation.

(2) The exportation of arms or related matériel (other than goods listed in the defence and strategic goods list) the immediate or final destination of which is, or is intended to be, Lebanon is prohibited unless the written permission of the Foreign Minister or an authorised person is shown to a Collector at or before the time of exportation.

Note: See regulation 13E in relation to the export of goods listed in the defence and strategic goods list.

(2A) An application for the written permission of the Foreign Minister or an authorised person mentioned in subregulation (2) must:

(a) be in the approved form; and

(b) contain the information required by the approved form; and

(c) be signed as indicated by the approved form.

(3) A permission granted under subregulation (2) may state, in relation to the exportation of goods that it permits:

(a) conditions or requirements, including times for compliance, to which the exportation is subject; and

(b) the quantity of goods that may be exported; and

(c) the circumstances in which goods may be exported.

(4) The Foreign Minister may revoke or modify a permission granted under subregulation (2) if the Foreign Minister is satisfied on reasonable grounds that:

(a) a condition or requirement of the permission has not been complied with, or is unlikely to be complied with unless modified; or

(b) permitting, or continuing to permit, the exportation of goods in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

(5) When deciding whether to give permission under subregulation (2), the Foreign Minister or an authorised person must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s obligations under international law.

13CQ Exportation of certain goods to Iran

(1) In this regulation:

***authorised person*** means a person authorised under subregulation (6).

***listed goods*** means:

(a) export sanctioned goods mentioned in subregulation 5(1) of the *Charter of the United Nations (Sanctions—Iran) Regulations 2008*; and

(b) goods specified in a prohibition notice issued under regulation 5A of the *Charter of the United Nations (Sanctions—Iran) Regulations 2008* and in force.

Note for paragraph (a): Export sanctioned goods include ***arms and related matériel*** that are defined in regulation 4 of the *Charter of the United Nations (Sanctions— Iran) Regulations 2008*.

***specified entity*** means an entity specified in a legislative instrument made for subparagraph 17E(2)(a)(i) of the *Charter of the United Nations (Sanctions—Iran) Regulations 2008.*

(2) The exportation of listed goods, the immediate or final destination of which is, or is intended to be, Iran is prohibited unless the written permission of the Foreign Minister or an authorised person is shown to a Collector at or before the time of exportation.

(2AA) If:

(a) a person exporting, or intending to export goods (including listed goods), is:

(i) an Australian national; or

(ii) subject to Australian jurisdiction; or

(iii) an entity incorporated in Australia; or

(iv) an entity subject to Australian jurisdiction; and

(b) the goods are to be exported in the course of the conduct of business by the person with:

(i) a specified entity; or

(ii) an individual or entity acting on behalf of, or under the direction of, the specified entity; or

(iii) an entity owned or controlled, whether or not by illicit means, by the specified entity; and

(c) the business is not authorised in accordance with regulation 17F of the *Charter of the United Nations (Sanctions—Iran) Regulations 2008*;

the exportation of goods is prohibited, unless the written permission of the Foreign Minister or an authorised person is shown to a Collector at or before the time of exportation.

(2A) An application for the written permission of the Foreign Minister or an authorised person mentioned in subregulation (2) must:

(a) be in the approved form; and

(b) contain the information required by the approved form; and

(c) be signed as indicated by the approved form.

(3) A permission to export goods granted under subregulation (2) or (2AA) may state, in relation to the exportation:

(a) conditions or requirements, including times for compliance, to which the exportation is subject; and

(b) the quantity of the goods that may be exported; and

(c) the circumstances in which the goods may be exported.

(4) When deciding whether to give permission under subregulation (2) or (2AA), the Foreign Minister or an authorised person must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s obligations under international law.

(5) The Foreign Minister may revoke or modify a permission granted under subregulation (2) or (2AA) if the Foreign Minister is satisfied on reasonable grounds that:

(a) a condition or requirement of the permission has not been complied with, or is unlikely to be complied with unless modified; or

(b) permitting, or continuing to permit, the exportation of goods in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

(6) The Foreign Minister may authorise an SES employee of the Department of Foreign Affairs and Trade to give permissions under this regulation.

13CR Exportation of certain goods to Eritrea

(1) In this regulation:

***authorised person*** means a person authorised under subregulation (8).

(2) This regulation applies to goods that are arms or related matériel:

(a) not listed in the defence and strategic goods list; and

(b) whose immediate or final destination is, or is intended to be, Eritrea.

(3) Exportation of the goods is prohibited unless the written permission of the Foreign Minister or an authorised person is shown to a Collector at or before the time of exportation.

(4) An application for the permission of the Foreign Minister or an authorised person under subregulation (3) must:

(a) be in the approved form; and

(b) contain the information required by the approved form; and

(c) be signed as indicated by the approved form.

(5) A permission to export goods granted under subregulation (3) may state, in relation to the exportation:

(a) conditions or requirements, including times for compliance, to which the exportation is subject; and

(b) the quantity of the goods that may be exported; and

(c) the circumstances in which the goods may be exported.

(6) When deciding whether to give permission under subregulation (3), the Foreign Minister or an authorised person must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s obligations under international law.

(7) The Foreign Minister may revoke or modify a permission granted under subregulation (3) if the Foreign Minister is satisfied on reasonable grounds that:

(a) a condition or requirement of the permission has not been complied with, or is unlikely to be complied with unless modified; or

(b) permitting, or continuing to permit, the exportation of goods in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

(8) The Foreign Minister may authorise an SES employee or acting SES employee of the Department administered by the Foreign Minister to give permissions under this regulation.

13CS Exportation of certain goods to the Libyan Arab Jamahiriya

(1) In this regulation:

***authorised person*** means a person authorised under subregulation (8).

(2) This regulation applies to goods that are arms or related matériel:

(a) not listed in the defence and strategic goods list; and

(b) whose immediate or final destination is, or is intended to be, the Libyan Arab Jamahiriya.

(3) Exportation of the goods is prohibited unless the written permission of the Foreign Minister or an authorised person is shown to a Collector at or before the time of exportation.

(4) An application for the permission of the Foreign Minister or an authorised person under subregulation (3) must:

(a) be in the approved form; and

(b) contain the information required by the approved form; and

(c) be signed as indicated by the approved form.

(5) A permission to export goods granted under subregulation (3) may state, in relation to the exportation:

(a) conditions or requirements, including times for compliance, to which the exportation is subject; and

(b) the quantity of the goods that may be exported; and

(c) the circumstances in which the goods may be exported.

(6) When deciding whether to give permission under subregulation (3), the Foreign Minister or an authorised person must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s obligations under international law.

(7) The Foreign Minister may revoke or modify a permission granted under subregulation (3) if the Foreign Minister is satisfied on reasonable grounds that:

(a) a condition or requirement of the permission has not been complied with, or is unlikely to be complied with unless modified; or

(b) permitting, or continuing to permit, the exportation of goods in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

(8) The Foreign Minister may authorise an SES employee or acting SES employee of the Department administered by the Foreign Minister to give permissions under this regulation.

13CT Exportation of certain goods to the Central African Republic

(1) In this regulation:

***authorised person*** means a person authorised under subregulation (8).

(2) This regulation applies to goods that are arms or related matériel:

(a) not listed in the defence and strategic goods list; and

(b) whose immediate or final destination is, or is intended to be, the Central African Republic.

(3) Exportation of the goods is prohibited unless the written permission of the Foreign Minister or an authorised person is shown to a Collector at or before the time of exportation.

(4) An application for the permission of the Foreign Minister or an authorised person under subregulation (3) must:

(a) be in the approved form; and

(b) contain the information required by the approved form; and

(c) be signed as indicated by the approved form.

(5) A permission to export goods granted under subregulation (3) may state, in relation to the exportation:

(a) conditions or requirements, including times for compliance, to which the exportation is subject; and

(b) the quantity of the goods that may be exported; and

(c) the circumstances in which the goods may be exported.

(6) When deciding whether to give permission under subregulation (3), the Foreign Minister or an authorised person must take into account:

(a) Australia’s relations with other countries; and

(b) Australia’s obligations under international law.

(7) The Foreign Minister may revoke or modify a permission granted under subregulation (3) if the Foreign Minister is satisfied on reasonable grounds that:

(a) a condition or requirement of the permission has not been complied with, or is unlikely to be complied with unless modified; or

(b) permitting, or continuing to permit, the exportation of goods in accordance with the permission would breach Australia’s international obligations or otherwise damage Australia’s international relations.

(8) The Foreign Minister may authorise an SES employee or acting SES employee of the Department administered by the Foreign Minister to give permissions under this regulation.

Division 4—Financial goods

13D Exportation of counterfeit credit, debit and charge cards

(1) The exportation from Australia of a counterfeit credit, debit or charge card is prohibited unless:

(a) a permission in writing to export the card has been given by the Minister; and

(b) the permission is produced to a Collector.

(2) A permission may specify:

(a) conditions or requirements to be complied with by the holder of the permission; and

(b) when the holder of the permission must comply with a condition or requirement, whether before or after the exportation of the card to which the permission relates.

(3) If the holder of a permission does not comply with a condition or requirement (if any) of the permission, the Minister may, by writing, revoke the permission.

(4) In this regulation:

***Minister*** means the Minister administering the *Australian Federal Police Act 1979*.

Division 4A—Defence and strategic goods

13E Exportation of defence and strategic goods—general

Prohibition of exportation

(1) The exportation from Australia of the following goods is prohibited, subject to this Division:

(a) goods specified in the defence and strategic goods list;

(b) goods containing DSGL technology.

Note: See regulation 13EA for exceptions. Permission under subregulation (2) of this regulation is not required for the exportation of goods covered by those exceptions.

Exportation with permission

(2) The exportation of goods is not prohibited under subregulation (1) if all of the following conditions are satisfied:

(a) the Defence Minister has granted permission under this regulation for the exportation of the goods;

(b) for goods containing DSGL technology—the permission is expressed to cover the DSGL technology;

(c) the exportation of the goods is in accordance with the terms of the permission;

(d) the permission is produced to a Collector.

Decision on application for permission

(3) If a person (the ***applicant***) makes an application for permission to export goods in accordance with regulation 13EB, the Defence Minister must:

(a) consider whether to grant the permission sought; and

(b) either:

(i) grant the permission, by notice in writing to the applicant; or

(ii) refuse to grant the permission, by notice in writing to the applicant giving reasons for refusal.

Note: See regulation 13EG for how notices must be given, and when they are taken to be received.

Criteria for granting permission

(4) The Defence Minister may only grant permission to the applicant if satisfied that the export of the goods, or of any DSGL technology contained in the goods, would not prejudice the security, defence or international relations of Australia, having regard to the following matters:

(a) the criteria set out in the following table;

(b) any other matters the Defence Minister considers appropriate.

| Criteria for permissions | |
| --- | --- |
| Item | Criterion |
| 1 | The risk that the goods or the DSGL technology may go to, or become available to, a country upon which the Security Council of the United Nations or Australia has imposed a sanction |
| 2 | The risk that the goods or the DSGL technology may go to, or become available to, a country where they may be used in a way contrary to Australia’s international obligations or commitments |
| 3 | The risk that the goods or the DSGL technology may be used to commit or facilitate serious abuses of human rights |
| 4 | Whether the export of the goods or the DSGL technology:  (a) may aggravate:  (i) an existing threat to international peace and security or to the peace and security of a region; or  (ii) a particular event or conflict of concern to Australia; or  (b) may otherwise contribute to political instability internationally or in a particular region |
| 5 | Whether the goods or the DSGL technology may:  (a) be used for conflict within a country or for international conflict by a country; or  (b) further militarise conflict within a country |
| 6 | Whether the export of the goods or the DSGL technology may compromise or adversely affect Australia’s defence or security interests, its obligations to its allies or its international obligations and responsibilities |
| 7 | Whether the goods or the DSGL technology may go to, or become available to, a country that has policies or strategic interests that are inconsistent with the policies and strategic interests of Australia or its allies |
| 8 | The risk that the export of the goods or the DSGL technology may:  (a) adversely affect Australia’s military capability; or  (b) substantially compromise an Australian defence operation; or  (c) increase the military capability of a country that is a potential adversary of Australia |
| 9 | The risk that the goods or the DSGL technology may go to, or become available to, a country:  (a) that is developing, or is reasonably suspected of developing:  (i) weapons that may be capable of causing mass destruction; or  (ii) the means of delivering such weapons; or  (b) that supports, or is reasonably suspected of supporting, terrorism; or  (c) whose actions or foreign policies pose a risk of major disruption in global stability or the stability of a particular region |
| 10 | Whether the export of the goods or the DSGL technology may lead to a reaction by another country that may damage Australia’s interests or relations with the other country or with a particular region |
| 11 | Whether the goods or the DSGL technology may be used for mercenary activities or a terrorist or other criminal activity |
| 12 | Whether preventing the export of the goods or the DSGL technology may have an adverse effect on Australian industry, trade and economic prosperity to the extent that it may adversely affect the security, defence or international relations of Australia |

Terms and conditions of permission

(5) A permission may specify the terms subject to which the permission is granted, including any or all of the following (without limitation):

(a) the type and amount of goods that may be exported;

(b) the persons to whom the goods may be exported;

(c) the overseas countries to which the goods may be exported;

(d) the number of shipments of the goods that may be exported;

(e) the period during which the goods may be exported.

(6) A permission may be granted subject to any conditions stated in the permission, including (without limitation) conditions relating to the circumstances in which goods may be exported.

Note: Regulation 13EC deals with changing permission conditions.

13EA Exportation of defence and strategic goods—no permission required under regulation 13E

Goods owned by defence forces

(1) The exportation of goods is not prohibited under subregulation 13E(1) if all of the following conditions are satisfied:

(a) the goods are owned by the defence force of any of the following countries:

(i) Brunei Darussalam;

(ii) Canada;

(iii) Malaysia;

(iv) New Zealand;

(v) Papua New Guinea;

(vi) the Kingdom of Cambodia;

(vii) the Kingdom of Thailand;

(viii) the Republic of Fiji;

(ix) the Republic of Indonesia;

(x) the Republic of Singapore;

(xi) the Republic of the Philippines;

(xii) the United Kingdom;

(xiii) the United States of America;

(xiv) Tonga;

(b) the goods have been imported into Australia by:

(i) the defence force that owns the goods; or

(ii) a member of that defence force to whom the goods have been issued;

(c) the goods are exported from Australia by:

(i) the defence force that owns the goods; or

(ii) a member of that defence force to whom the goods have been issued;

(d) the goods are not specified in item ML7, 1C350, 1C351, 1C352, 1C353, 1C354 or 1C450 of the defence and strategic goods list;

(e) for goods containing DSGL technology—the goods contained the DSGL technology when they were imported.

Air security

(2) The exportation of goods is not prohibited under subregulation 13E(1) if all of the following conditions are satisfied:

(a) the goods were last imported into Australia on an aircraft by a person (an ***air security officer***) covered by subregulation (3) while carrying out his or her duties;

(b) there is an arrangement between the foreign government employing the air security officer and the Government of Australia providing for the importation of the goods into Australia on aircraft by air security officers;

(c) immediately after the goods were imported, the air security officer surrendered the goods to an officer of Customs, authorised under subregulation (4), for secure storage until the goods are exported in accordance with paragraph (d);

(d) within 3 months after the goods were imported into Australia, the goods are exported from Australia.

(3) A person is covered by this subregulation if he or she:

(a) is employed and trained by a foreign government to travel on an aircraft to provide security for the aircraft and its passengers and crew; and

(b) is not employed to provide exclusive personal protection for one or more specific people travelling on the aircraft (for example, as a personal bodyguard).

(4) The Comptroller‑General of Customs may, in writing, authorise an officer of customs for the purposes of paragraph (2)(c).

Defense Trade Cooperation Treaty goods

(5) The exportation of goods is not prohibited under subregulation 13E(1) if all of the following conditions are satisfied:

(a) the goods are one of the following:

(i) an Article 3(1) US Defence Article (within the meaning of the *Defence Trade Controls Act 2012*);

(ii) an Article 3(3) US Defence Article (within the meaning of that Act);

(iii) an Australian Defence Article (within the meaning of the *Defence Trade Controls Regulation 2013*);

(iv) goods constituting or containing DSGL technology in relation to goods referred to in subparagraph (i), (ii) or (iii);

(b) for goods containing DSGL technology—the technology is DSGL technology in relation to the goods;

(c) the goods are exported from Australia by an Australian Community member (within the meaning of the *Defence Trade Controls Act 2012*)to a member of the United States Community (within the meaning of that Act);

(d) the goods are exported from Australia for one or more of the activities referred to in Article 3(1)(a), (b), (c) or (d) of the Defense Trade Cooperation Treaty (within the meaning of the *Defence Trade Controls Act 2012*).

DSGL technology—temporary export

(6) The exportation of goods is not prohibited under subregulation 13E(1) if all of the following conditions are satisfied:

(a) the goods constitute, or contain, DSGL technology;

(b) for goods that contain DSGL technology, but do not constitute DSGL technology—the goods themselves are not specified in the defence and strategic goods list;

(c) the goods are exported from Australia for use by the exporter outside Australia;

(d) the exporter or, if the exporter is a body corporate, an employee, agent or officer of the body, will travel with the goods;

(e) the goods are not to be sold or transferred to, or used by, any person other than the exporter outside Australia;

(f) the DSGL technology constituted by, or contained in, the goods is not to be disclosed to any person other than the exporter outside Australia;

(g) the exporter intends to return to Australia with the goods or, if the exporter is a body corporate, the exporter intends that the goods are to be returned to Australia by an employee, agent or officer of the body travelling with the goods.

DSGL technology—export following temporary import

(7) The exportation of goods is not prohibited under subregulation 13E(1) if all of the following conditions are satisfied:

(a) the goods constitute, or contain, DSGL technology;

(b) for goods that contain DSGL technology, but do not constitute DSGL technology—the goods themselves are not specified in the defence and strategic goods list;

(c) the goods have been imported by a person to Australia from a foreign country for use by the person in Australia, and are exported from Australia to the same country, by the same person (the ***exporter***);

(d) the exporter or, if the exporter is a body corporate, an employee, agent or officer of the body, will travel with the goods when they are exported.

13EB Export defence and strategic goods—application for permission

(1) A person (the ***applicant***) may apply to the Defence Minister for permission to export goods mentioned in subregulation 13E(1).

(2) The application must:

(a) be in writing in the form approved by the Defence Minister under subregulation (6); and

(b) contain the information required by the form; and

(c) be accompanied by any documents required by the form.

(3) The application must be made at least 37 days before the first proposed date of export if the application is to export goods specified in the following items of the defence and strategic goods list:

(a) item ML7.b.1;

(b) item ML7.b.2;

(c) item ML7.c;

(d) item 1C351.d.4;

(e) item 1C351.d.5.

(4) The Defence Minister may, by notice in writing, request the applicant to give the Defence Minister such additional information as the Defence Minister considers necessary to enable the Defence Minister to decide the application.

Note: See regulation 13EG for how notices must be given, and when they are taken to be received.

(5) The Defence Minister may defer consideration of the application until the applicant complies with the request.

(6) The Defence Minister may approve, in writing, a form for the purposes of applying for permission under this regulation.

13EC Exportation of defence and strategic goods—changing permission conditions

(1) After granting a permission under regulation 13E, the Defence Minister may impose a new condition on the permission by giving the holder of the permission written notice of the condition. The notice must include the reasons for imposing the new condition.

(2) The Defence Minister may remove or vary a condition of a permission by giving the holder of the permission written notice of the removal or variation.

(3) A notice of the variation of a condition must include the reasons for the variation.

(4) The imposition, removal or variation of a condition takes effect at the time specified in the notice under subregulation (1) or (2), which must be:

(a) at least 14 days after the day on which the notice is given; or

(b) if the Minister is satisfied that the new condition, or the variation, needs to take effect at the time the notice is received for reasons of urgency—at that time.

Note 1: See regulation 13EG for how notices must be given, and when they are taken to be received.

Note 2: Regulation 13EH deals with disclosing reasons for decisions under this Division.

13ED Exportation of defence and strategic goods—revocation of permission

(1) The Defence Minister may, by notice in writing, revoke a permission granted to a person under regulation 13E if:

(a) the permission is granted subject to a condition to be complied with by the holder of the permission, and the holder fails to comply with the condition; or

(b) the Defence Minister is satisfied that the exportation of any goods covered by the permission would prejudice the security, defence or international relations of Australia, having regard to the following matters:

(i) the criteria set out in the table in subregulation 13E(4);

(ii) any other matters the Defence Minister considers appropriate.

(2) A notice of the revocation of a permission under subregulation (1) must include the reasons for the revocation.

(3) The revocation takes effect when the holder is taken to have received the notice of revocation under regulation 13EG.

Note: See regulation 13EG for how notices must be given, and when they are taken to be received.

13EE Internal review of defence and strategic goods decisions

Meaning of **reviewable defence and strategic goods decision**

(1) Each of the following decisions is a ***reviewable defence and strategic goods decision***:

(a) a decision under subregulation 13E(3) to refuse to grant a permission;

(b) a decision under subregulation 13E(6) to impose a condition on a permission;

(c) a decision under subregulation 13EC(1) to impose a new condition on a permission;

(d) a decision under subregulation 13EC(2) to vary a condition imposed on a permission;

(e) a decision under subregulation 13ED(1) to revoke a permission.

Request for internal review

(2) If a reviewable defence and strategic goods decision is made by a delegate of the Defence Minister, any person whose interests are affected by the decision, and who is dissatisfied with the decision, may request the Defence Minister to review the decision personally.

(3) The request must be made by written notice given to the Defence Minister:

(a) within 30 days after the day on which the person is taken to have received notice of the decision under regulation 13EG; or

(b) within such longer period as the Defence Minister allows (either before or after the end of the 30 days).

(4) The request must set out the reasons why it is made.

Internal review by Defence Minister personally

(5) On receiving the request, the Defence Minister must review the decision personally.

(6) The Defence Minister may:

(a) affirm, vary or set aside the decision; and

(b) if he or she sets aside the decision, make such other decision under regulation 13E or 13EC as he or she thinks appropriate.

(7) The Defence Minister must give the person written notice including all of the following:

(a) the Defence Minister’s decision under subregulation (6);

(b) the reasons for that decision;

(c) a statement of the person’s right to have that decision reviewed by the Administrative Appeals Tribunal.

(8) Failure to give notice in accordance with subregulation (7) does not affect the validity of the Defence Minister’s decision.

(9) The Defence Minister is taken to have affirmed the reviewable defence and strategic goods decision under subregulation (6) if the person does not receive notice of the Defence Minister’s decision on review within 90 days after the person requested the Defence Minister to review the reviewable defence and strategic goods decision.

Note: See regulation 13EG for how notices must be given, and when they are taken to be received.

13EF Review by the Administrative Appeals Tribunal

Applications may be made to the Administrative Appeals Tribunal for review of:

(a) a reviewable defence and strategic goods decision made by the Defence Minister personally; or

(b) a decision of the Defence Minister under subregulation 13EE(6) (which deals with internal review).

13EG Notification of decisions—service and receipt

Scope

(1) This regulation sets out:

(a) methods for giving a notice to a person under this Division; and

(b) the time at which a person is taken to have received a notice given under this Division.

Given personally

(2) The notice may be given to the person:

(a) at the last address notified to the Defence Minister for the purpose of receiving notices; and

(b) by a person authorised by the Defence Minister for the purposes of this subregulation; and

(c) either:

(i) by giving it directly to the person; or

(ii) by giving it to another person who appears to work at that address in a management or executive position.

(3) The person is taken to have received the notice under subregulation (2) at the time it is given under paragraph (2)(c).

Sent by mail

(4) The notice may be posted to the person at the postal address last notified to the Defence Minister for the purpose of receiving notices.

(5) The person is taken to have received the notice under subregulation (4):

(a) if the notice was posted from a place in Australia to an address in Australia—7 business days after the date of the notice, in the place of the address to which it was sent; or

(b) if paragraph (a) does not apply—21 days after the date of the notice.

Electronic notice

(6) If the person has notified to the Defence Minister an email address, fax number or other electronic address, for the purpose of receiving notices, the notice may be:

(a) faxed to the person at the fax number last notified to the Defence Minister for that purpose; or

(b) sent to the person at the email address last notified to the Defence Minister for that purpose; or

(c) sent to the person by any other electronic means to the electronic address last notified to the Defence Minister for that purpose.

(7) The person is taken to have received the notice under subregulation (6) at the end of the day (in the person’s location) that it was sent or, if that day is not a business day, at the end of the next business day.

13EH Disclosure of reasons for decisions

Scope

(1) This regulation applies in relation to a notice of a decision under this Division if this Division provides that reasons for the decision must be stated in the notice.

Decisions made by the Minister personally

(2) If the decision is made by the Defence Minister personally, the notice of the decision must not disclose any reasons whose disclosure the Defence Minister believes would prejudice the security, defence or international relations of Australia.

Decisions made by a delegate

(3) If the decision is made by a delegate of the Defence Minister, and the delegate believes that the disclosure of some or all of the reasons would prejudice the security, defence or international relations of Australia:

(a) the delegate must refer the particular case to the Defence Minister; and

(b) if the Defence Minister believes that the disclosure of some or all of the reasons would prejudice the security, defence or international relations of Australia:

(i) the Defence Minister must inform the delegate of those reasons; and

(ii) the notice of the decision must not disclose those reasons.

Notification that reasons have not been disclosed

(4) If reasons are not disclosed in the notice because of subregulation (2) or (3), that fact must be stated in the notice.

13EI Disclosure of information and documents

(1) The Secretary of the Department administered by the Defence Minister (the ***Secretary***) may disclose any information, or give any document, obtained or generated for the purposes of this Division, to any of the following for a purpose connected with the administration of this Division (including the performance of a function, or the exercise of a power, under this Division):

(a) a Minister of the Commonwealth, a State or a Territory;

(b) the head (however described) of a Commonwealth entity within the meaning of the *Public Governance, Performance and Accountability Act 2013*;

(c) a State or Territory, or an authority of a State or Territory;

(d) any of the following:

(i) the government of a foreign country, or of part of a foreign country;

(ii) an authority of the government of a foreign country;

(iii) an authority of the government of part of a foreign country;

(e) a person or entity specified in an instrument under subregulation (2).

(2) The Defence Minister may, by legislative instrument, specify a person or entity for the purposes of paragraph (1)(e).

(3) The Secretary may disclose information under subregulation (1) only if the Secretary is satisfied that the recipient of the information will not disclose the information to anyone else without the Secretary’s consent.

(4) The Secretary may give a document under subregulation (1) only if the Secretary is satisfied that the recipient of the document will not disclose any of the contents of the document to anyone else without the Secretary’s consent.

Relationship with other laws

(5) Subregulation (1) applies despite:

(a) a law of the Commonwealth other than an Act or this regulation; and

(b) a law of a State or a Territory.

13EJ Delegations by Defence Minister

(1) The Defence Minister may delegate the powers covered by subregulation (2) to:

(a) the Secretary of the Department administered by that Minister; or

(b) an SES employee, or acting SES employee, in that Department; or

(c) an APS employee who holds, or is acting in, an Executive Level 1 position, or an equivalent or higher position, in that Department.

Note 1: See also sections 34AA and 34AB of the *Acts Interpretation Act 1901*.

Note 2: The expressions ***APS employee***, ***SES employee*** and ***acting SES employee*** are defined in section 2B of the *Acts Interpretation Act 1901*.

(2) This subregulation covers the following powers:

(a) the power under regulation 13E to grant permission to export goods listed in Part 1 or Part 2 of the defence and strategic goods list, or goods containing DSGL technology;

(b) the power to request additional information under subregulation 13EB(4), and to defer consideration of an application under subregulation 13EB(5);

(c) the power to approve a form under subregulation 13EB(6);

(d) the power to impose, remove or vary conditions under regulation 13EC in relation to such a permission.

(3) The Defence Minister may delegate to an officer of Customs the power under regulation 13E to grant permission to export goods listed in Part 1 of the defence and strategic goods list.

(4) The Defence Minister must not delegate to any person the following powers:

(a) the power under subregulation 13E(3) to refuse to grant a permission;

(b) the power under subregulation 13ED(1) to revoke a permission.

(5) In performing functions or exercising powers under a delegation under this regulation, the delegate must comply with any directions of the Defence Minister.

13EK Delegations by Secretary

The Secretary of the Department administered by the Defence Minister may delegate any of the Secretary’s powers under regulation 13EI (which relate to the disclosure of information and documents) to:

(a) an SES employee, or acting SES employee, in that Department; or

(b) an APS employee who holds, or is acting in, an Executive Level 1 position, or an equivalent or higher position, in that Department.

Note 1: See also sections 34AA and 34AB of the *Acts Interpretation Act 1901*.

Note 2: The expressions ***APS employee***, ***SES employee*** and ***acting SES employee*** are defined in section 2B of the *Acts Interpretation Act 1901*.

Division 4B—Environmental goods

13F Exportation of ozone‑depleting substances and synthetic greenhouse gases

(1) The exportation from Australia (except to an external Territory) of a substance mentioned in column 2 of an item in Schedule 15 is prohibited.

(2) Subregulation (1) does not apply if a licence to export the substance has been granted under section 16 of the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989* and the licence, or a copy of the licence, is produced to a Collector.

Note: The exportation of HBFC is prohibited absolutely: see subregulation (5).

(3) Subregulation (1) does not apply to a substance that is:

(a) contained in goods that will use the substance in the operation of the goods (for example, an aerosol spray device); or

(b) present in goods because the substance was used in the manufacturing process for the goods.

(4) Subregulation (1) does not apply to a CFC, HCFC or SGG in relation to which all of the following conditions are satisfied:

(a) the CFC, HCFC or SGG is on board a ship or aircraft;

(b) the ship or aircraft has air conditioning or refrigeration equipment;

(c) the CFC, HCFC or SGG is exclusively for use in meeting the reasonable servicing requirements of that equipment during, or in connection with, 1 or more periods when the ship or aircraft is or will be engaged in a journey between:

(i) a place in Australia and a place outside Australia; or

(ii) 2 places outside Australia.

(5) The exportation (except to an external Territory) of HBFC is prohibited absolutely.

13G Exportation of radioactive waste

(1)On and after 1 January 2000,the exportation from Australia to a Pacific Island Developing Country of radioactive waste is prohibited unless a permission in writing, given by the Minister or by an authorised person, for the exportation of the waste is produced to a Collector at or before the time of exportation.

(2)In deciding whether to give a permission under subregulation (1), the Minister, or the authorised person, must take into account the international obligations of Australia.

(3) In this regulation:

***authorised person*** means a person authorised in writing by the Minister to give a permission under subregulation (1).

***Minister*** means the Minister administering the *National Radioactive Waste Management Act 2012*.

***Pacific Island Developing Country*** means any of the following countries:

(a) Cook Islands;

(b) Fiji;

(c) Kiribati;

(d) Marshall Islands, Republic of;

(e) Micronesia, Federated States of;

(f) Nauru;

(g) Niue;

(h) Palau, Republic of;

(i) Papua New Guinea;

(j) Solomon Islands;

(k) Tonga;

(l) Tuvalu;

(m) Vanuatu;

(n) Western Samoa.

***radioactive waste*** means waste consisting of material that emits ionising radiation as a result of the spontaneous transformation of the nucleus of the atom but does not include material that has an activity concentration below 1 Becquerel per gram or an activity below 1000 Becquerel.

Division 5—Devices and documents relating to suicide

13GA Exportation of devices and documents relating to suicide

(1) The exportation of a device designed or customised to be used by a person to commit suicide, or to be used by a person to assist another person to commit suicide, is prohibited absolutely.

(2) The exportation of the following documents is prohibited absolutely:

(a) a document that promotes the use of a device mentioned in subregulation (1);

(b) a document that counsels or incites a person to commit suicide using one of those devices;

(c) a document that instructs a person how to commit suicide using one of those devices.

Division 6—Liquefied natural gas

13GB Definitions

In this Division:

***authorised officer*** means an SES employee in the Resources Department authorised in writing by the Resources Minister for the purposes of this Division.

***domestic shortfall quarter*** means a quarter determined by the Resources Minister under subregulation 13GE(1) to be a domestic shortfall quarter.

***Energy Minister*** means the Minister administering the *Australian Energy Market Act 2004*.

***Industry Minister*** means the Minister administering the *Industry Research and Development Act 1986*.

***permission*** means a permission to export liquefied natural gas during a domestic shortfall quarter.

***quarter*** means a period of 3 months beginning on 1 January, 1 April, 1 July or 1 October.

***Resources Department*** means the Department administered by the Resources Minister.

***Resources Minister*** means the Minister administering the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

***Trade Minister*** means the Minister administering the *Australian Trade and Investment Commission Act 1985*.

***vary***, in relation to conditions of a permission, includes omit or substitute conditions.

13GC Export prohibited during domestic shortfall quarters

(1) The exportation from Australia of liquefied natural gas is prohibited during a domestic shortfall quarter unless:

(a) a permission in writing to export the liquefied natural gas has been granted by the Resources Minister or an authorised officer; and

(b) the permission is produced to the Collector.

Note: A permission may be granted for a period that is longer than a domestic shortfall quarter.

(2) A permission may specify:

(a) conditions to be complied with by the holder of the permission; and

(b) when the holder must comply with a condition.

(3) The Resources Minister or an authorised officer may:

(a) vary a condition of a permission with the consent of the holder of the permission; or

(b) accept the surrender of a permission, including in exchange for granting another permission.

(4) If the holder of a permission does not comply with a condition of the permission, the Resources Minister may, by writing:

(a) revoke the permission; or

(b) vary one or more conditions of the permission.

13GD Assignment of permissions

(1) A permission may specify that the permission may be assigned with the written consent of the Resources Minister or an authorised person.

(2) If the Resources Minister or an authorised person consents to the assignment of a permission, the Minister or authorised person may vary the conditions of the permission.

(3) The consent and any variations to conditions must be endorsed on or annexed to the permission.

13GE Determining a domestic shortfall quarter

(1) For the purposes of the definition of ***domestic shortfall quarter*** in regulation 13GB, the Resources Minister may, by notifiable instrument, determine a quarter to be a domestic shortfall quarter.

(2) The Resources Minister must not determine a quarter (the ***relevant quarter***) to be a domestic shortfall quarter under subregulation (1) unless each of the following applies:

(a) the Resources Minister has reasonable grounds to believe that there will not be a sufficient supply of natural gas for Australian consumers during the relevant quarter unless exports of liquefied natural gas are controlled;

(b) the Resources Minister has consulted the following Ministers:

(i) the Prime Minister;

(ii) the Treasurer;

(iii) the Energy Minister;

(iv) the Industry Minister;

(v) the Trade Minister;

(c) on or before the first day of the quarter immediately preceding the relevant quarter, the Resources Minister gives notice, by notifiable instrument registered on the Federal Register of Legislation, of the Resources Minister’s intention to consider whether to determine the relevant quarter to be a domestic shortfall quarter;

(d) the determination is made within the period:

(i) beginning 30 days after the first day of the quarter immediately preceding the relevant quarter; and

(ii) ending 45 days after the first day of the quarter immediately preceding the relevant quarter.

(3) The Resources Minister may revoke a determination of a domestic shortfall quarter at any time.

13GF Resources Minister may publish guidelines

The Resources Minister may, by notifiable instrument, publish guidelines relevant to the exercise of powers under this Division.

13GG Review of Division

(1) The Resources Minister must cause a review of the operation of this Division to be undertaken during 2025.

(2) The review must address the following:

(a) the effectiveness and efficiency of this Division in ensuring a sufficient supply of natural gas for Australian consumers with minimum disruption to Australia’s liquefied natural gas export industry;

(b) the impact of this Division on the competiveness of Australia’s liquefied natural gas export industry, Australia’s investment reputation and Australia’s international reputation for quality and reliability;

(c) the impact of this Division on the Australian domestic gas market, including the development of new and additional gas resources and market functions;

(d) whether improvements can be made to the operation of this Division and whether there are appropriate alternative mechanisms to achieve the objectives of this Division;

(e) whether this Division should be amended or repealed before 1 January 2030 and the timing of any such amendment or repeal;

(f) any other considerations the Resources Minister considers relevant.

(3) Subregulation (2) does not limit the matters that may be addressed by the review.

(4) In conducting the review, the legitimate interests of all relevant stakeholders must be taken into account.

13GH Repeal of Division

This Division is repealed on 1 January 2030.

Part 4—Miscellaneous

13H Certain applications to be referred

(1) This regulation applies to an application for a permission under subregulation 9(3) or 13G(1) to export goods.

(1A) If an authorised person is of the opinion that the permission should not be granted, the authorised person must refer the application to the relevant Minister.

(2) If an application is referred to the relevant Minister, the relevant Minister must grant or refuse to grant the permission.

(3) This regulation does not affect the power of the relevant Minister or an authorised person to grant a permission under subregulation 9(3) subject to conditions or requirements.

(4) In this regulation, ***relevant Minister*** means:

(b) in relation to an application for a permission under subregulation 9(3)—the Minister referred to in that subregulation; or

(c) for an application under subregulation 13G(1)—the Minister referred to in that subregulation.

(5) Subregulation (1A) does not apply to an authorised person who is a relevant Minister.

14 Regulations do not derogate from any other law

The provisions of these Regulations are in addition to, and do not derogate from the operation of, any other law of the Commonwealth relating to the exportation of goods.

Part 5—Transitional matters

17 Transitional matters—amendments made by the *Customs and Other Legislation Amendment (Australian Border Force) Regulation 2015*

(1) The amendment of regulation 10B made by the *Customs and Other Legislation Amendment (Australian Border Force) Regulation 2015* applies in relation to licences granted under regulation 10A before, on or after 1 July 2015.

(2) A requirement made by the CEO before 1 July 2015 as mentioned in paragraph 10B(1)(c) or (e) that had not been complied with before that day is taken on and after that day to have been a requirement made by the Comptroller‑General of Customs.

18 Amendments made by the *Customs (Prohibited Exports) Amendment (Defence and Strategic Goods) Regulations 2018*

Licences and permissions

(1) A licence or permission granted under regulation 13E that was in force immediately before the day (the***commencement day***)on which Schedule 1 to the *Customs (Prohibited Exports) Amendment (Defence and Strategic Goods) Regulations 2018* (the ***amending regulations***)commences continues to have effect, on and after that day, as if it were a permission granted under regulation 13E as substituted by the amending regulations.

Note 1: Permissions granted under regulation 13E relate to the export of defence and strategic goods.

Note 2: See also item 4 of Schedule 1 to the *Customs and Other Legislation Amendment Act 2017*, which relates to paragraph 13ED(1)(b) of these Regulations (Minister’s power to revoke a permission for national security etc. reasons) as inserted by the amending regulations.

(2) If Schedule 1 to the amending regulations amends a reference in another instrument to a licence or permission granted under regulation 13E of these Regulations so that the instrument only refers to a permission granted under regulation 13E, the reference to a permission, on and after the commencement day, includes a reference to a licence granted under regulation 13E before the commencement day.

(3) These Regulations apply, on and after the commencement day, in relation to an application for a permission under regulation 13E that had been made, but not decided, immediately before that day as if it were an application for a permission under regulation 13E as substituted by Schedule 1 to the amending regulations.

(4) Despite anything else in this regulation, the amendments made by Schedule 1 to the amending regulations (other than the amendment to insert this regulation) do not apply in relation to an application for a permission under regulation 13E (as in force before the commencement day) if:

(a) the application had been made, but not decided, immediately before the commencement day; and

(b) the application had been referred to the Defence Minister under regulation 13H before that day.

Authorised persons

(5) These Regulations, as amended by Schedule 1 to the amending regulations, have effect on and after the commencement day as if an authority given to a person employed in the Department of Defence by the Defence Minister under subregulation 13E(1A) that was in force immediately before the commencement day were a delegation by the Defence Minister to that person for the purposes of subregulation 13EJ(1) of these Regulations as so amended.

(6) These Regulations, as amended by Schedule 1 to the amending regulations, have effect on and after the commencement day as if an authority given to an officer of Customs by the Defence Minister under subregulation 13E(1A) that was in force immediately before the commencement day were a delegation by the Defence Minister to that officer for the purposes of subregulation 13EJ(3) of these Regulations as so amended.

Authorised officers

(7) These Regulations, as amended by Schedule 1 to the amending regulations, have effect on and after the commencement day as if an authorisation by the CEO of an officer of Customs for the purposes of the definition of ***authorised officer*** in subregulation 13E(1) that was in force immediately before the commencement day were an authorisation by the Comptroller‑General of Customs under subregulation 13EA(4) of these Regulations as amended by the amending regulations for the purposes of paragraph 13EA(2)(c) of these Regulations as so amended.

19 Transitional matters—effect of the *Customs Legislation Amendment (Asbestos) Regulations 2019* on permissions and confirmations

(1) A confirmation:

(a) provided in accordance with subregulation 4(3) for the purposes of paragraph 4(1)(b); and

(b) in force immediately before the commencement of the *Customs Legislation Amendment (Asbestos) Regulations 2019* (the ***amending regulations***);

continues in force (and may be dealt with) as if it were a confirmation for the purposes of paragraph 4(1)(b) as amended by the amending regulations.

(2) A permission:

(a) granted under subregulation 4(4); and

(b) in force immediately before the commencement of the amending regulations;

continues in force (and may be dealt with) as if it had been granted under subregulation 4(3) as amended by the amending regulations.

20 Transitional matters—amendments made by the *Customs Legislation Amendment (Objectionable Goods) Regulations 2020*

A permission:

(a) given under subregulation 3(4); and

(b) in force immediately before the commencement of the *Customs Legislation Amendment (Objectionable Goods) Regulations 2020* (the ***amending regulations***);

has effect, from that commencement, as if it were a permission given under paragraph 3(4)(a) as amended by the amending regulations.

21 Transitional matters—amendments made by the *Minamata Convention on Mercury (Consequential Amendments) Regulations 2021*

Application of amendments

(1) The amendments of these Regulations made by the *Minamata Convention on Mercury (Consequential Amendments) Regulations 2021* apply in relation to the exportation of mercury, or research mercury, from Australia on or after the commencement of that instrument (whether the application for permission to export was made before, on or after that commencement).

Pending applications for permissions to export mercury

(2) If:

(a) an application was made before the commencement of the *Minamata Convention on Mercury (Consequential Amendments) Regulations 2021* for a permission under paragraph 4A(1)(b) of these Regulations to export mercury (within the meaning of these Regulations as amended by that instrument); and

(b) as at immediately before the commencement of that instrument, no decision on the application had been made;

the application is taken, at the commencement of that instrument, never to have been made.

22 Transitional matters—amendments made by the *Customs (Prohibited Exports) Amendment (Liquefied Natural Gas) Regulations 2023*

(1) This regulation applies if a domestic shortfall quarter (the ***relevant quarter***) determined under regulation 13GE commences on 1 July 2023.

(2) Regulation 13GE applies in relation to the relevant quarter as if the reference in paragraph 13GE(2)(c) to the first day of the quarter immediately preceding the relevant quarter were instead a reference to 14 April 2023.

Schedule 1—Goods containing asbestos

(subregulation 4(1))

| Item | Goods |
| --- | --- |
| 1 | Cement corrugated sheets |
| 2 | Cement flat sheeting or panels |
| 3 | Cement shingles or tiles (external or ceiling) |
| 4 | Cement pipes, tubes or fittings |
| 5 | Brake linings or blocks |
| 6 | Clutch linings or brake disc pads |
| 7 | Gaskets or seals |
| 8 | Sheeting |
| 9 | Electrical panel partitioning |
| 10 | Fire blankets |
| 11 | Fire curtains |
| 12 | Gloves |
| 13 | Asbestos tape |
| 14 | Asbestos rope |
| 15 | Electrical cloth and tapes |
| 16 | Yarn and thread, cords and string, whether or not plaited |
| 17 | Lagging and jointing materials |
| 18 | Tiles |
| 19 | Sheet vinyl backing |
| 20 | Textured paints or coatings |
| 21 | Asbestos bitumen products used to damp‑proof |
| 22 | Heat resistant sealing or caulking compounds |
| 23 | Mastics, sealants, putties or adhesives |
| 24 | Mixtures containing phenol formaldehyde resin or cresylic formaldehyde resin |
| 25 | Diaphragms |
| 26 | Raw materials from mining activities |

Schedule 2—Goods, being certain chemicals, the exportation of which is prohibited unless permission is granted under regulation 4A

Note: See regulation 4A.

Part 1—Chemicals

| Item | Common name | CAS Registry Number |
| --- | --- | --- |
| 1 | 2‑(Acetoxymercuric)ethanol | 4665‑55‑8 |
| 2 | 2,4,5‑T and its salts and esters | 93‑76‑5 |
| 2A | alachlor | 15972‑60‑8 |
| 2B | aldicarb | 116‑06‑3 |
| 3 | aldrin (HHDN) | 309‑00‑2 |
| 3AA | azinphos‑methyl | 86‑50‑0 |
| 3B | binapacryl | 485‑31‑4 |
| 4 | captafol | 2425‑06‑1 |
| 4A | carbofuran | 1563‑66‑2 |
| 5 | chlordane | 57‑74‑9 |
| 6 | chlordimeform | 6164‑98‑3 |
| 7 | chlorobenzilate | 510‑15‑6 |
| 8 | cyano(methylmercuric)guanidine | 502‑39‑6 |
| 9 | DDT (pp’‑DDT) | 50‑29‑3 |
| 10 | dieldrin (HEOD) | 60‑57‑1 |
| 11 | dinoseb and its salts and esters | 88‑85‑7 |
| 12 | dinitro‑ortho‑cresol (DNOC) and its salts | 534‑52‑1 |
| 12A | endosulfan | 115‑29‑7 |
| 13 | endrin | 72‑20‑8 |
| 14 | ethylene dibromide (EDB) | 106‑93‑4 |
| 14A | ethylene dichloride | 107‑06‑02 |
| 14B | ethylene oxide | 75‑21‑8 |
| 15 | fluoroacetamide | 640‑19‑7 |
| 16 | HCH (mixed isomers) (BHC) | 608‑73‑1 |
| 17 | heptachlor | 76‑44‑8 |
| 18 | hexachlorobenzene (HCB) | 118‑74‑1 |
| 19 | hydroxymercuri‑o‑nitrophenol | 17140‑73‑7 |
| 20 | lindane (γ‑BHC, γ‑HCH) | 58‑89‑9 |
| 21 | mercuric acetate | 1600‑27‑7 |
| 22 | mercuric chloride | 7487‑94‑7 |
| 23 | mercuric oxide | 21908‑53‑2 |
| 24 | mercurous chloride | 7546‑30‑7 |
| 26 | mercury naphthenate | 1336‑96‑5 |
| 27 | mercury oleate | 1191‑80‑6 |
| 28 | mercury pentanedione | 14024‑55‑6 |
| 29 | mercury phenate | 588‑66‑9 |
| 30 | methamidophos | 10265‑92‑6 |
| 31 | methazole | 20354‑26‑1 |
| 32 | methylmercury 2,3‑dihydroxypropyl mercaptide | 2597‑95‑7 |
| 33 | methylmercury 8‑quinolinolate | 86‑85‑1 |
| 34 | methylmercury acetate | 108‑07‑6 |
| 35 | methylmercury benzoate | 3626‑13‑9 |
| 36 | methylmercury hydroxide | 1184‑57‑2 |
| 37 | methylmercury nitrite | 2591‑97‑9 |
| 38 | methylmercury propionate | 5903‑10‑6 |
| 39 | mirex | 2385‑85‑5 |
| 40 | monocrotophos | 6923‑22‑4 |
| 41 | N‑(phenylmercuric) urea | 2279‑64‑3 |
| 42 | parathion (ethyl) | 56‑38‑2 |
| 43 | parathion‑methyl | 298‑00‑0 |
| 44 | pentachlorophenol and its salts and esters | 87‑86‑5 |
| 45 | phenylethylmercuric salicylate | 54‑64‑8 |
| 46 | phenylmercuric acetate | 62‑38‑4 |
| 47 | phenylmercuric ammonium acetate | 53404‑67‑4 |
| 48 | phenylmercuric ammonium propionate | 53404‑68‑5 |
| 49 | phenylmercuric borate | 102‑98‑7 |
| 50 | phenylmercuric carbonate | 53404‑69‑6 |
| 51 | phenylmercuric chloride | 100‑56‑1 |
| 52 | phenylmercuric dimethyldithiocarbamate | 32407‑99‑1 |
| 53 | phenylmercuric formamide | 22894‑47‑9 |
| 54 | phenylmercuric hydroxide | 100‑57‑2 |
| 55 | phenylmercuric lactate | 122‑64‑5 |
| 56 | phenylmercuric monoethanol ammonium acetate | 5822‑97‑9 |
| 57 | phenylmercuric monoethanol ammonium lactate | 53404‑70‑9 |
| 58 | phenylmercuric napthenate | 31632‑68‑5 |
| 59 | phenylmercuric nitrate | 55‑68‑5 |
| 60 | phenylmercuric oleate | 104‑68‑9 |
| 61 | phenylmercuric propionate | 103‑27‑5 |
| 62 | phenylmercuric salicylate | 28086‑13‑7 |
| 63 | phenylmercuric thiocyanate | 16751‑55‑6 |
| 64 | phenylmercuric threthanol ammonium lactate | 23319‑66‑6 |
| 65 | phenylmercuric‑2‑ethylhexonate | 13302‑00‑6 |
| 66 | phenylmercuric‑8‑quinolinate | 26114‑17‑0 |
| 67 | phenyl mercury lauryl mercaptide | ‑ |
| 67A | phorate | 298‑02‑2 |
| 68 | phosphamidon | 13171‑21‑6  23783‑98‑4  297‑99‑4 |
| 69 | toxaphene (camphechlor) | 8000‑35‑2 |
| 70 | tribufos | 78‑48‑8 |
| 71 | tributyltin compounds | ‑ |
| 72 | trichlorfon | 52‑68‑6 |

Part 2—Mixture or preparation containing chemicals

| Item | Mixture or preparation | CAS Registry Number |
| --- | --- | --- |
| 1 | Dustable powder that contains:  (a) 7% or more of benomyl; and  (b) 10% or more of carbofuran; and  (c) 15% or more of thiram | 17804‑35‑2  1563‑66‑2  137‑26‑8 |

Note: If an item in Schedule 2 includes words describing a particular kind of derivative (for example, ‘salt’ or ‘ester’) of a chemical whose common name is set out in the item (the ***primary chemical***), the CAS Registry Number set out in the item is that of the primary chemical. Derivatives may have a separate CAS Registry Number that is not shown in the item.

Schedule 3—Goods the exportation of which is prohibited unless the approval of the Minister referred to in regulation 5 or of an authorised officer is produced to the collector

(regulation 5)

|  |  |
| --- | --- |
| Item | Description of Goods |
| 11 | Live giant freshwater crayfish (*Astacopsis gouldi*) |
| 12 | Live eels measuring less than 30 centimetres in length |
| 13 | Live pearl shell oysters |
| 15 | Meat, offal and meat products (other than meat and bone meal and meat meal), being goods that consist of, or contain, meat or offal derived from mammals |

Schedule 4—Goods the exportation of which is prohibited if permission is not granted under regulation 6

(regulation 6)

|  |  |
| --- | --- |
| Item | Description of goods |
| 1 | Fish of the species *Dissostichus eleginoides* (commonly known as Patagonian toothfish) |
| 2 | Fish of the species *Dissostichus mawsoni* (commonly known as Antarctic toothfish) |

Schedule 6—Goods the exportation of which is prohibited if permission is not granted under regulation 8

(regulation 8)

|  |  |
| --- | --- |
| Item | Description of goods |
| 1 | Human body fluids, organs and other tissue:  (a) including a part or constituent of material of that kind, if the internal volume of the immediate container in which the material is packed exceeds 50 ml; and  (b) excluding viable material derived from human embryo clones. |
| 2 | A substance derived from human blood |

Schedule 7—Goods the exportation of which is prohibited without the permission of the Minister referred to in regulation 9 or an authorised person

(regulation 9)

1 Source material, as follows:

(a) uranium containing the mixture of isotopes occurring in nature;

(b) uranium depleted in the isotope 235;

(c) thorium;

(d) any of the materials mentioned in paragraphs (a), (b) and (c) in the form of metal, alloy, chemical compound, ore or concentrate, including monazite, tantalum concentrates and tantalum glass;

but not including:

(e) thorium alloys containing less than 1.5% by weight of thorium; or

(f) any of the materials mentioned in paragraphs (a) to (d) when contained in medicinals; or

(g) any ore or concentrate:

(i) containing less than 0.05% by weight of a material mentioned in paragraph (a), (b) or (c), or of a combination of those materials; and

(ii) not excluded from this paragraph by a list or document formulated by the Minister referred to in regulation 9.

Note: A list or document mentioned in subparagraph (ii):

(a) is a list or document of a type mentioned in paragraph 112(2A)(aa) of the Act; and

(b) is a legislative instrument under the *Legislation Act 2003*.

2 Special fissionable material as follows:

(a) plutonium‑239;

(b) uranium‑233;

(c) material containing any of the materials referred to in paragraphs (a) and (b);

(d) uranium containing either or both of the isotopes 235 and 233 if the abundance ratio of that isotope, or the sum of those isotopes, to the isotope 238 is more than the ratio of isotope 235 to the isotope 238 occurring in nature (isotopic ratio: 0.71%);

but not including:

(e) plutonium with an isotopic concentration of plutonium‑238 exceeding 80%; or

(f) any of the materials mentioned in paragraphs (a), (b) and (c) when used in quantities of 1 gram or less as a sensing component in instruments; or

(g) any of the materials mentioned in paragraphs (a) to (d) when contained in medicinals.

3 Other fissionable materials, as follows:

(a) americium‑242;

(b) curium‑245;

(c) curium‑247;

(d) californium‑249;

(e) californium‑251;

(f) compounds, alloys and mixtures of any of the materials to which paragraphs (a) to (e) apply;

in quantities greater, either singly or in combination, than 0.1 g (or 0.3 g when contained in a sensing component or sensing instrument).

Schedule 7A—High activity radioactive sources

(regulation 9AD)

| Item | Radioactive source | Activity level (Bq) |
| --- | --- | --- |
| 1 | Americium‑241 | 6 × 1011 |
| 2 | Americium‑241/Beryllium | 6 × 1011 |
| 3 | Caesium‑137 | 1 × 1012 |
| 4 | Californium‑252 | 2 × 1011 |
| 5 | Cobalt‑60 | 3 × 1011 |
| 6 | Curium‑244 | 5 × 1011 |
| 7 | Gadolinium‑153 | 1 × 1013 |
| 8 | Iridium‑192 | 8 × 1011 |
| 9 | Plutonium‑238 | 6 × 1011 |
| 10 | Plutonium‑239/Beryllium | 6 × 1011 |
| 11 | Promethium‑147 | 4 × 1014 |
| 12 | Radium‑226 | 4 × 1011 |
| 13 | Selenium‑75 | 2 × 1012 |
| 14 | Strontium‑90/Yttrium‑90 | 1 × 1013 |
| 15 | Thulium‑170 | 2 × 1014 |
| 16 | Ytterbium‑169 | 3 × 1012 |

Schedule 8—Drugs the exportation of which is prohibited if specified conditions, restrictions or requirements are not complied with

(regulations 10 and 10A)

Part 1

| Item | Description of drugs |
| --- | --- |
| 1 | Acetorphine |
| 2 | Acetyldihydrocodeine |
| 2A | Acetylfentanyl |
| 3 | Acetylmethadol |
| 3A | Acetylmorphine |
| 4 | Acetyl‑alphamethylfentanyl |
| 4A | Acryloylfentanyl (otherwise known as acrylfentanyl) |
| 5 | Alfentanil |
| 6 | Allylprodine |
| 7 | Alphacetylmethadol |
| 8 | Alphameprodine |
| 9 | Alphamethadol |
| 10 | Alphamethylfentanyl |
| 11 | Alphamethylthiofentanyl |
| 12 | Alphaprodine |
| 13 | Anileridine |
| 14 | Benzethidine |
| 15 | Benzylmorphine |
| 16 | Betacetylmethadol |
| 17 | Betahydroxyfentanyl |
| 18 | Betahydroxy‑3‑methylfentanyl |
| 19 | Betameprodine |
| 20 | Betamethadol |
| 21 | Betaprodine |
| 22 | Bezitramide |
| 22A | 2‑(4‑bromo‑2,5‑dimethoxyphenyl)‑N‑[(2‑methoxyphenyl)methyl]ethanamine (otherwise known as 25B‑NBOMe) |
| 23 | Buprenorphine |
| 23A | Butyrfentanyl |
| 23AA | Carfentanil (otherwise known as carfentanyl) |
| 23B | 2‑(4‑chloro‑2,5‑dimethoxyphenyl)‑N‑[(2‑methoxyphenyl)methyl]ethanamine (otherwise known as 25C‑NBOMe) |
| 24 | Clonitazene |
| 25 | Cocaine, including the leaves of any plant of any species of the genus *Erythroxylon* from which cocaine can be extracted, either directly or by chemical transformation |
| 26 | Codeine |
| 26A | Codeine‑N‑oxide |
| 27 | Codoxime |
| 27A | Concentrate of poppy straw (the material arising when poppy straw has entered into a process for the concentration of its alkaloids) |
| 27AA | Crotonylfentanyl |
| 27B | 1‑cyclohexyl‑4‑(1,2‑diphenylethyl)piperazine) (otherwise known as MT‑45) |
| 27C | Cyclopropylfentanyl |
| 28 | Desomorphine |
| 29 | Dextromoramide |
| 30 | Dextropropoxyphene |
| 31 | Diampromide |
| 31A | 3,4‑dichloro‑N‑{[1‑(dimethylamino)cyclohexyl]methyl}benzamide (otherwise known as AH‑7921) |
| 31B | 3,4‑dichloro‑N‑(2‑dimethylamino‑cyclohexyl)‑N‑methyl‑benzamide (otherwise known as U‑47700) |
| 32 | Diethylthiambutene |
| 33 | Difenoxin |
| 34 | Dihydrocodeine |
| 34A | Dihydroetorphine |
| 35 | Dihydromorphine |
| 36 | Dimenoxadol |
| 37 | Dimepheptanol |
| 38 | Dimethylthiambutene |
| 39 | Dioxaphetyl butyrate |
| 40 | Diphenoxylate |
| 41 | Dipipanone |
| 42 | Drotebanol |
| 43 | Ecgonine |
| 44 | Ethylmethylthiambutene |
| 45 | Ethylmorphine |
| 46 | Etonitazene |
| 47 | Etorphine |
| 48 | Etoxeridine |
| 49 | Fentanyl |
| 49A | 4‑fluoroisobutyrfentanyl (otherwise known as 4‑FIBF or pFIBF) |
| 49B | Furanylfentanyl |
| 50 | Furethidine |
| 51 | Heroin (otherwise known as diacetylmorphine) |
| 52 | Hydrocodone |
| 53 | Hydromorphinol |
| 54 | Hydromorphone |
| 55 | Hydroxypethidine |
| 55A | 2‑(4‑iodo‑2,5‑dimethoxyphenyl)‑N‑[(2‑methoxyphenyl)methyl]ethanamine (otherwise known as 25I‑NBOMe) |
| 56 | Isomethadone |
| 57 | Ketobemidone |
| 58 | Levomethorphan |
| 59 | Levomoramide |
| 60 | Levophenacylmorphan |
| 61 | Levorphanol |
| 61A | Meprodine |
| 62 | Metazocine |
| 63 | Methadone |
| 64 | Methadone intermediate (otherwise known as 4‑cyano‑2‑dimethylamino‑4,4‑diphenylbutane) |
| 64A | Methoxyacetylfentanyl |
| 65 | Methyldesorphine |
| 66 | Methyldihydromorphine |
| 67 | 1‑methyl‑4‑phenyl‑4‑piperidinol propionate (otherwise known as MPPP) |
| 68 | 3‑methylfentanyl |
| 69 | 3‑methylthiofentanyl |
| 70 | Metopon |
| 71 | Moramide intermediate (otherwise known as 2‑methyl‑3‑morpholino‑1,1‑diphenylpropane carboxylic acid) |
| 72 | Morpheridine |
| 74 | Morphine |
| 75 | Morphine methobromide |
| 76 | Morphine‑N‑oxide |
| 77 | Myrophine |
| 78 | Nicocodine |
| 79 | Nicodicodine |
| 80 | Nicomorphine |
| 81 | Noracymethadol |
| 82 | Norcodeine |
| 83 | Norlevorphanol |
| 84 | Normethadone |
| 85 | Normophine |
| 86 | Norpipanone |
| 86A | Ocfentanil |
| 87 | Opium prepared for smoking, including dross and any other form of charred opium |
| 88 | Opium that contains morphine and is in one of the following forms:  (a) medicinal opium (that is to say, opium in any form, whether mixed with a neutral substance or not, that has undergone the processes necessary to adapt it for medicinal use),  (b) opium tinctures and extracts, including opium deposited from tinctures and extracts of that kind,  (c) raw opium, including non‑medicinal powdered and granulated forms of raw opium |
| 88A | Oripavine |
| 88B | Orthofluorofentanyl |
| 89 | Oxycodone |
| 90 | Oxymorphone |
| 90A | Parafluorobutyrylfentanyl |
| 91 | Para‑fluorofentanyl |
| 91A | Para‑methoxymethylamphetamine (otherwise known as PMMA) |
| 92 | Pentazocine |
| 93 | Pethidine |
| 94 | Pethidine intermediate A (otherwise known as 4‑cyano‑1‑methyl‑4‑phenylpiperidine) |
| 95 | Pethidine intermediate B (otherwise known as 4‑phenylpiperidine‑4‑carboxylic acid ethyl ester) |
| 96 | Pethidine intermediate C (otherwise known as 1‑methyl‑4‑phenylpiperidine‑4‑carboxylic acid) |
| 97 | Phenadoxone |
| 98 | Phenampromide |
| 99 | Phenazocine |
| 100 | 1‑phenethyl‑4‑phenyl‑4‑piperidinol acetate (otherwise known as PEPAP) |
| 101 | Phenomorphan |
| 102 | Phenoperidine |
| 103 | Pholcodine |
| 104 | Piminodine |
| 105 | Piritramide |
| 106 | Poppy straw |
| 106A | Prodine |
| 107 | Proheptazine |
| 108 | Properidine |
| 109 | Propiram |
| 110 | Racemethorphan |
| 111 | Racemoramide |
| 112 | Racemorphan |
| 113 | Sufentanil |
| 113A | Tetrahydrofuranylfentanyl (otherwise known as THF‑F) |
| 114 | Thebacon |
| 115 | Thebaine |
| 116 | Thiofentanyl |
| 117 | Tilidine |
| 118 | Trimeperidine |
| 118A | Valerylfentanyl |
| 119 | Any drug of whatever kind that is or is likely to produce, or is capable of being converted into a substance that is or is likely to be productive of ill effects substantially of the same character or nature as, or analogous to, those produced by any of the drugs specified or referred to in the items listed in this Part |

Part 2

| Item | Description of drugs |
| --- | --- |
| 1AAA | AB‑FUBINACA |
| 1AA | N‑(adamantan‑1‑yl)‑1‑(5‑fluoropentyl)‑1H‑indazole‑3‑carboxamide) (otherwise known as 5F‑APINACA) |
| 1AB | ADB‑CHMINACA (otherwise known as MAB‑CHMINACA) |
| 1AC | ADB‑FUBINACA |
| 1AD | Alpha‑pyrrolidinohexanophenone (otherwise known as alpha‑PHP) |
| 1AE | 5F‑AMB‑PINACA (otherwise known as 5F‑AMB or 5F‑MMB‑PINACA) |
| 1A | Amineptine |
| 1AAA | N‑(1‑amino‑3‑methyl‑1‑oxobutan‑2‑yl)‑1‑(cyclohexylmethyl)‑1H‑indazole‑3‑carboxamide (otherwise known as AB‑CHMINACA) |
| 1AAB | N‑(1‑amino‑3‑methyl‑1‑oxobutan‑2‑yl)‑1‑pentyl‑1H‑indazole‑3‑carboxamide (otherwise known as AB‑PINACA) |
| 1 | Amphetamine |
| 1B | Benzylpiperazine |
| 2 | 4‑bromo‑2,5‑dimethoxyamphetamine |
| 3 | Cannabis |
| 4 | Cannabis resin |
| 5 | Cathinone |
| 6 | Tetrahydrocannabinol (otherwise known as 1‑hydroxy‑3‑pentyl‑6a,7,8,10a‑ tetrahydro‑6,6,9‑trimethyl‑6H‑[dibenzo (b, d) pyran] and 2’‑hydroxy‑4’‑ pentyl‑3,4,5,6‑tetrahydro‑1,8,8‑trimethyl‑8H‑dibenzo (b,d) pyran) including all 3‑and 4’‑alkyl homologues within these structural designations |
| 6AA | 4‑CMC (otherwise known as 4‑chloromethcathinone or clephedrone) |
| 6A | CUMYL‑4CN‑BINACA |
| 7 | DET (otherwise known as N,N‑diethyltryptamine) |
| 8 | Dexamphetamine |
| 8A | Dimethylheptyl‑delta‑3‑tetrahydrocannabinol (otherwise known as DMHP) |
| 9 | 2,5‑dimethyoxyamphetamine |
| 10 | 2,5‑dimethoxy‑4‑ethylamphetamine |
| 11 | DMT (otherwise known as N,N‑dimethyltryptamine), including plants and parts of the plants of the species *Piptadenia peregrina* (*Anadenanthera peregrina*) |
| 11A | DOC (otherwise known as 1‑(4‑chloro‑2,5‑dimethoxyphenyl) propan‑2‑amine) |
| 11B | N‑ethylhexedrone |
| 12 | N‑ethyl‑methylenedioxyamphetamine (otherwise known as N‑ethyl MDA) |
| 12AAA | N‑ethylnorpentylone (otherwise known as ephylone) |
| 12AA | Ethylone |
| 12AB | Ethylphenidate |
| 12A | Etryptamine (otherwise known as 3‑(2‑aminobutyl)indole) |
| 13 | Fenetylline |
| 13AAA | 4‑fluoroamphetamine (otherwise known as 4‑FA) |
| 13AAB | 1‑(5‑fluoropentyl)‑1H‑indole‑3‑carboxylic acid 8‑quinolinyl ester (otherwise known as 5F‑PB‑22) |
| 13AA | [1‑(5‑fluoropentyl)‑1H‑indol‑3‑yl](napthalen‑1‑yl)methanone (otherwise known as AM‑2201 or JHW‑2201) |
| 13AB | [1‑(5‑fluoropentyl)‑1H‑indol‑3‑yl](2,2,3,3‑tetramethylcyclopropyl)methanone) (otherwise known as XLR‑11) |
| 13AC | FUB‑AMB (otherwise known as MMB‑FUBINACA or AMB‑FUBINACA) |
| 13A | Gamma‑hydroxybutyric acid (otherwise known as GHB) |
| 14 | N‑hydroxy‑methylenedioxyamphetamine (otherwise known as N‑hydroxy MDA) |
| 15 | Levamphetamine |
| 16 | Levomethamphetamine |
| 17 | Lysergamide, including plants and parts of plants of the species *Rivea corymbosa*, *Ipomoea tricolor*, *Ipomoea violacea* and *Argyreia nervosa* |
| 18 | Lysergide (otherwise known as lysergic acid diethylamide or LSD) including the laevo isomer of lysergide |
| 18A | 4F‑MDMB‑BINACA |
| 18B | 5F‑MDMB‑PICA (otherwise known as 5F‑MDMB‑2201) |
| 19 | Mecloqualone |
| 20 | Mescaline (otherwise known as 3, 4, 5‑trimethoxyphenethylamine), including cacti and parts of cacti of the species *Lophophora williamsii* |
| 21 | Metamfetamine racemate |
| 22 | Methamphetamine |
| 23 | Methaqualone |
| 23A | Methcathinone |
| 23AA | Methiopropamine (otherwise known as MPA) |
| 23AB | Methoxetamine |
| 23B | 5‑methoxy‑alpha‑methyltryptamine (otherwise known as 5‑MeO‑AMT) |
| 23C | 5‑methoxy‑N,N‑diisopropyltryptamine (otherwise known as 5‑MeO‑DiPT) |
| 24 | 5‑Methoxy‑3,4‑methylenedioxyamphetamine |
| 25 | 4‑methylaminorex |
| 25A | Methyl N‑{[1‑(cyclohexylmethyl)‑1H‑indol‑3‑yl]carbonyl}‑3‑methyl‑L‑valinate) (otherwise known as MDMB‑CHMICA) |
| 26 | 3,4‑methylenedioxyamphetamine |
| 27 | 3,4‑methylenedioxymethamphetamine |
| 27A | 3,4‑methylenedioxypyrovalerone (otherwise known as MDPV) |
| 27B | 4‑methylethcathinone (otherwise known as 4‑MEC) |
| 27BA | methyl 2‑(1‑(5‑fluoropentyl)‑1H‑indazole‑3‑carboxamido)‑3,3‑dimethylbutanoate (otherwise known as 5F‑MDMB‑PINACA or 5F‑ADB) |
| 27C | 4‑methylmethcathinone (otherwise known as mephedrone 4‑MMC) |
| 27D | Methylone (otherwise known as beta‑keto‑MDMA) |
| 28 | Methylphenidate |
| 28A | Parahexyl (otherwise known as 3‑hexyl‑7,8,9,10‑tetrahydro‑6,6,9‑trimethyl‑6H‑dibenzo(b,d)pyran‑1‑ol) |
| 29 | Paramethoxyamphetamine |
| 29A | Para‑methyl‑4‑methylaminorex (otherwise known as 4,4’‑DMAR) |
| 30 | PCE (otherwise known as N‑ethyl‑1‑phenylcyclohexylamine) |
| 30A | Pentedrone |
| 30AB | (1‑pentyl‑1H‑indol‑3‑yl)(2,2,3,3‑tetramethylcyclopropyl)methanone (otherwise known as UR‑144) |
| 30B | 1‑pentyl‑3‑(1‑napththoyl)indole (otherwise known as JWH‑018 or AM‑678) |
| 31 | Phencyclidine |
| 32 | Phenmetrazine |
| 33 | PHP or PCPY (also known as 1‑(1‑phenylcyclohexyl) pyrrolidine) |
| 34 | Psilocine (otherwise known as 3‑(2‑dimethylaminoethyl)‑4‑hydroxyindole), including all fungi that contain psilocine |
| 35 | Psilocybin, including all fungi that contain psilocybin |
| 35A | α‑pyrrolidinovalerophenone (otherwise known as α‑PVP) |
| 36 | STP, DOM (otherwise known as 2‑amino‑1‑(2,5‑dimethoxy‑4‑methyl)‑phenylpropane) |
| 37 | TCP (otherwise known as 1‑(1‑(2‑thienyl)cyclohexyl) piperidine) |
| 38 | 3,4,5,‑trimethoxyamphetamine |
| 38A | Zipeprol |
| 39 | Any drug of whatever kind that is or is likely to produce, or is capable of being converted into a substance that is or is likely to be productive of ill effects substantially of the same character or nature as, or analogous to, those produced by any of the drugs specified or referred to in the items listed in this Part |

Part 3

| Item | Description of drugs |
| --- | --- |
| 1AA | Alpha‑phenylacetoacetamide (otherwise known as APAA) |
| 1A | Alpha‑phenylacetoacetonitrile (otherwise known as APAAN) |
| 1 | Amfecloral |
| 2 | Amfepramone (otherwise known as diethylpropion) |
| 2AA | 4‑anilino‑N phenethylpiperidine (otherwise known as ANPP) |
| 2A | Aminorex |
| 3 | Benzphetamine |
| 3A | 4‑bromo‑2,5‑dimethoxyphenethylamine (otherwise known as 2‑CB) |
| 3B | Brotizolam |
| 4 | Bufotenin (otherwise known as 3‑(2‑dimethylaminoethyl)‑5‑hydroxindole), including plants and parts of the plants of the species *Piptadenia peregrina (Anadenanthera peregrina*) |
| 4A | Butorphanol |
| 5 | Cathine |
| 6 | Chlorphentermine |
| 6A | 2,5‑dimethoxy‑4‑ethylthiophenethylamine (otherwise known as 2C‑T‑2) |
| 6B | 2,5‑dimethoxy‑4‑iodophenethylamine (otherwise known as 2C‑1) |
| 6C | 2,5‑dimethoxy‑4‑n‑propylthiophenethylamine (otherwise known as 2C‑T‑7) |
| 7 | Ephedrine |
| 8 | Ergometrine |
| 9 | Ergotamine |
| 10 | N‑ethylamphetamine |
| 11 | Fencamfamin |
| 12 | Fenproporex |
| 12A | Gammabutyrolactone |
| 13 | Harmaline (otherwise known as 4,9‑dihydro‑7‑methoxy‑1‑methy‑l‑(3H)pyrido(3,4‑b)indole), except when occurring naturally as a component of the herb *tribulus terrestris* |
| 14 | Harmine (otherwise known as 7‑methoxyharman), except when occurring naturally as a component of the herb *tribulus terrestris* |
| 15 | Hydroxyamphetamine (otherwise known as 4‑(2‑aminopropyl)phenol) |
| 15A | Ketamine |
| 16 | Lysergic acid, including the laevo isomer of lysergic acid |
| 17 | Mazindol |
| 17A | 3,4‑MDP‑2‑P methyl glycidate (otherwise known as PMK glycidate) |
| 17B | 3,4‑MDP‑2‑P methyl glycidic acid (otherwise known as PMK glycidic acid) |
| 18 | Mefenorex |
| 18A | Mesocarb |
| 18AA | Methyl alpha‑phenylacetoacetate (otherwise known as MAPA) |
| 18B | N‑methyl‑1‑(3,4‑methylenedioxyphenyl)‑2‑butanamine (otherwise known as MBDB) |
| 18C | 4‑methylthioamphetamine (otherwise known as 4‑MTA) |
| 19 | Alphamethyltriptamine (otherwise known as (3‑(2‑aminopropyl)indole) |
| 20 | Phendimetrazine |
| 20A | N‑phenethyl‑4‑piperidone (otherwise known as NPP) |
| 21 | Phentermine |
| 21A | Phenylacetic acid |
| 21B | Phenylpropanolamine |
| 22 | Phenyl‑2‑propanone |
| 23 | Pipradrol |
| 24 | Propylhexedrine |
| 25 | Pseudoephedrine |
| 26 | Pyrovalerone |
| 26A | Remifentanil |
| 27 | SPA (otherwise known as levo‑1‑dimethylamino‑1,2,‑diphenylethane) |
| 27A | safrole |
| 27B | isosafrole |
| 27C | piperonal |
| 27D | 3,4‑methylenedioxyphenyl‑2‑propanone |
| 27E | N‑acetylanthranilic acid |
| 28 | Any drug of whatever kind that is or is likely to produce, or is capable of being converted into a substance that is or is likely to be productive of ill effects substantially of the same character or nature as, or analogous to, those produced by any of the drugs specified or referred to in the items listed in this Part |

Part 4

| Item | Description of drugs |
| --- | --- |
| 1 | Alprazolam |
| 2 | Barbiturates, that is to say, 5,5‑disubstituted barbituric acids, including compounds structurally derived from barbituric acid or thiobarbituric acid |
| 3 | Bromazepam |
| 4 | Camazepam |
| 5 | Chlordiazepoxide |
| 6 | Clobazam |
| 7 | Clonazepam |
| 8 | Clorazapate |
| 9 | Clotiazepam |
| 10 | Cloxazolam |
| 11 | Delorazepam |
| 12 | Diazepam |
| 13 | Estazolam |
| 14 | Ethchlorvynol (otherwise known as ethyl‑2‑chlorvinyl ethinyl carbinol) |
| 15 | Ethinamate |
| 15A | Etizolam |
| 16 | Ethyl loflazepate |
| 16A | Flualprazolam |
| 17 | Fludiazepam |
| 18 | Flunitrazepam |
| 19 | Flurazepam |
| 20 | Glutethimide |
| 21 | Halazepam |
| 22 | Haloxazolam |
| 23 | Ketazolam |
| 24 | Loprazolam |
| 25 | Lorazepam |
| 26 | Lormetazepam |
| 27 | Medazepam |
| 28 | Meprobamate |
| 29 | Methyprylon |
| 30 | Midazolam |
| 31 | Nimetazepam |
| 32 | Nitrazepam |
| 33 | Nordazepam |
| 34 | Oxazepam |
| 35 | Oxazolam |
| 36 | Pemoline |
| 36A | Phenazepam |
| 37 | Pinazepam |
| 38 | Prazepam |
| 39 | Temazepam |
| 40 | Tetrazepam |
| 41 | Triazolam |
| 42 | Zolpidem |

Schedule 9—Precursor substances

(regulation 9A)

Part 1

|  |  |
| --- | --- |
| Item | Precursor substance |
| 1 | Acetic anhydride in solutions, mixtures containing at least 90% |
| 2 | Potassium permanganate, crystals and in solutions, mixtures or powders containing at least 90% |

Part 2

|  |  |
| --- | --- |
| Item | Precursor substance |
| 1 | Acetone, neat and in mixtures at a concentration of at least 90% |
| 2 | Ethyl ether, neat and in mixtures at a concentration of at least 90% |
| 3 | Hydrochloric acid, including solutions and mixtures containing at least 30% HCl |
| 4 | Methyl ethyl ketone, neat and in mixtures at a concentration of at least 90% |
| 5 | Piperidine, neat and in mixtures at a concentration of at least 90% |
| 6 | Sulphuric acid, in solutions and mixtures containing at least 90% H2SO4 |
| 7 | Toluene, neat and in mixtures at a concentration of at least 90% |

Schedule 15—Ozone‑depleting substances

(regulation 13F)

Part 1—Chlorofluorocarbons

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | Trichlorofluoromethane (CFC‑11) |
| 2 | Dichlorodifluoromethane (CFC‑12) |
| 3 | Trichlorotrifluoroethane (CFC‑113) |
| 4 | Dichlorotetrafluoroethane (CFC‑114) |
| 5 | (Mono) chloropentafluoroethane (CFC‑115) |
| 6 | CF3Cl (CFC‑13) |
| 7 | C2FCl5 (CFC‑111) |
| 8 | C2F2Cl4 (CFC‑112) |
| 9 | C3FCl7 (CFC‑211) |
| 10 | C3F2Cl6 (CFC‑212) |
| 11 | C3F3Cl5 (CFC‑213) |
| 12 | C3F4Cl4 (CFC‑214) |
| 13 | C3F5Cl3 (CFC‑215) |
| 14 | C3F6Cl2 (CFC‑216) |
| 15 | C3F7Cl (CFC‑217) |

Part 2—Halons

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | Bromochlorodifluoromethane (Halon‑1211) |
| 2 | Bromotrifluoromethane (Halon‑1301) |
| 3 | Dibromotetrafluoroethane (Halon‑2402) |

Part 3—Carbon tetrachloride

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | Carbon tetrachloride (CCl4) |

Part 4—Methyl chloroform

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | 1,1,1‑trichloroethane (C2H3Cl3) |

Note: This formula does not refer to 1,1,2‑trichloroethane.

Part 5—Hydrochlorofluorocarbons

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | CHFCl2 (HCFC‑21) |
| 2 | CHF2Cl(HCFC‑22) |
| 3 | CH2FCl (HCFC‑31) |
| 4 | C2HFCl4 (HCFC‑121) |
| 5 | C2HF2Cl3 (HCFC‑122) |
| 6 | C2HF3Cl2 (HCFC‑123) |
| 7 | CHCl2CF3 (HCFC‑123) |
| 8 | C2HF4Cl (HCFC‑124) |
| 9 | CHFClCF3 (HCFC‑124) |
| 10 | C2H2FCl3 (HCFC‑131) |
| 11 | C2H2F2Cl2 (HCFC‑132) |
| 12 | C2H2F3Cl (HCFC‑133) |
| 13 | C2H3FCl2 (HCFC‑141) |
| 14 | CH3CFCl2 (HCFC‑141b) |
| 15 | C2H3F2Cl (HCFC‑142) |
| 16 | CH3CF2Cl (HCFC‑142b) |
| 17 | C2H4FCl (HCFC‑151) |
| 18 | C3HFCl6 (HCFC‑221) |
| 19 | C3HF2Cl5 (HCFC‑222) |
| 20 | C3HF3Cl4 (HCFC‑223) |
| 21 | C3HF4Cl3 (HCFC‑224) |
| 22 | C3HF5Cl2 (HCFC‑225) |
| 23 | CF3CF2CHCl2 (HCFC‑225ca) |
| 24 | CF2ClCF2CHClF (HCFC‑225cb) |
| 25 | C3HF6Cl (HCFC‑226) |
| 26 | C3H2FCl5 (HCFC‑231) |
| 27 | C3H2F2Cl4 (HCFC‑232) |
| 28 | C3H2F3Cl3 (HCFC‑233) |
| 29 | C3H2F4Cl2 (HCFC‑234) |
| 30 | C3H2F5Cl (HCFC‑235) |
| 31 | C3H3FCl4 (HCFC‑241) |
| 32 | C3H3F2Cl3 (HCFC‑242) |
| 33 | C3H3F3Cl2 (HCFC‑243) |
| 34 | C3H3F4Cl (HCFC‑244) |
| 35 | C3H4FCl3 (HCFC‑251) |
| 36 | C3H4F2Cl2 (HCFC‑252) |
| 37 | C3H4F3Cl (HCFC‑253) |
| 38 | C3H5FCl2 (HCFC‑261) |
| 39 | C3H5F2Cl (HCFC‑262) |
| 40 | C3H6FCl (HCFC‑271) |

Part 6—Hydrobromofluorocarbons

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | CHFBr2 |
| 2 | CHF2Br (HBFC‑22B1) |
| 3 | CH2FBr |
| 4 | C2HFBr4 |
| 5 | C2HF2Br3 |
| 6 | C2HF3Br2 |
| 7 | C2HF4Br |
| 8 | C2H2FBr3 |
| 9 | C2H2F2Br2 |
| 10 | C2H2F3Br |
| 11 | C2H3FBr2 |
| 12 | C2H3F2Br |
| 13 | C2H4FBr |
| 14 | C3HFBr6 |
| 15 | C3HF2Br5 |
| 16 | C3HF3Br4 |
| 17 | C3HF4Br3 |
| 18 | C3HF5Br2 |
| 19 | C3HF6Br |
| 20 | C3H2FBr5 |
| 21 | C3H2F2Br4 |
| 22 | C3H2F3Br3 |
| 23 | C3H2F4Br2 |
| 24 | C3H2F5Br |
| 25 | C3H3FBr4 |
| 26 | C3H3F2Br3 |
| 27 | C3H3F3Br2 |
| 28 | C3H3F4Br2 |
| 29 | C3H4FBr3 |
| 30 | C3H4F2Br2 |
| 31 | C3H4F3Br |
| 32 | C3H5FBr2 |
| 33 | C3H5F2Br |
| 34 | C3H6FBr |

Part 7—Methyl bromide

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | CH3Br |

Part 8—Bromochloromethane

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | CH2BrCl |

Part 9—HFCs

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | CHF3 (HFC‑23) |
| 2 | CH2F2 (HFC‑32) |
| 3 | CH3F (HFC‑41) |
| 4 | CHF2CF3 (HFC‑125) |
| 5 | CHF2CHF2 (HFC‑134) |
| 6 | CH2FCF3 (HFC‑134a) |
| 7 | CHF2CH2F (HFC‑143) |
| 8 | CF3CH3 (HFC‑143a) |
| 9 | CH2FCH2F (HFC‑152) |
| 10 | CH3CHF2 (HFC‑152a) |
| 12 | CF3CHFCF3 (HFC‑227ea) |
| 13 | CH2FCF2CF3 (HFC‑236cb) |
| 14 | CHF2CHFCF3 (HFC‑236ea) |
| 15 | CF3CH2CF3 (HFC‑236fa) |
| 16 | CH2FCF2CHF2 (HFC‑245ca) |
| 17 | CHF2CH2CF3 (HFC‑245fa) |
| 18 | CF3CH2CF2CH3 (HFC‑365mfc) |
| 19 | CF3CHFCHFCF2CF3 (HFC‑43‑10mee) |

Part 10—PFCs

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | CF4 (PFC‑14) |
| 2 | C2F6 (PFC‑116) |
| 3 | C3F8 (PFC‑218) |
| 4 | C4F10 (PFC‑3‑1‑10) |
| 5 | c‑C4F8 (PFC‑318) |
| 6 | C5F12 (PFC‑4‑1‑12) |
| 7 | C6F14 (PFC‑5‑1‑14) |
| 8 | C10F18 (PFC‑9‑1‑18) |

Part 11—Sulfur hexafluoride

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | Sulfur hexafluoride (SF6) |

Part 12—Nitrogen trifluoride

| Column 1  Item | Column 2  Substance |
| --- | --- |
| 1 | Nitrogen trifluoride (NF3) |

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

**Abbreviation key—Endnote 2**

The abbreviation key sets out abbreviations that may be used in the endnotes.

**Legislation history and amendment history—Endnotes 3 and 4**

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

**Editorial changes**

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

**Misdescribed amendments**

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnote 2—Abbreviation key

|  |  |
| --- | --- |
| ad = added or inserted | o = order(s) |
| am = amended | Ord = Ordinance |
| amdt = amendment | orig = original |
| c = clause(s) | par = paragraph(s)/subparagraph(s) |
| C[x] = Compilation No. x | /sub‑subparagraph(s) |
| Ch = Chapter(s) | pres = present |
| def = definition(s) | prev = previous |
| Dict = Dictionary | (prev…) = previously |
| disallowed = disallowed by Parliament | Pt = Part(s) |
| Div = Division(s) | r = regulation(s)/rule(s) |
| ed = editorial change | reloc = relocated |
| exp = expires/expired or ceases/ceased to have | renum = renumbered |
| effect | rep = repealed |
| F = Federal Register of Legislation | rs = repealed and substituted |
| gaz = gazette | s = section(s)/subsection(s) |
| LA = *Legislation Act 2003* | Sch = Schedule(s) |
| LIA = *Legislative Instruments Act 2003* | Sdiv = Subdivision(s) |
| (md) = misdescribed amendment can be given | SLI = Select Legislative Instrument |
| effect | SR = Statutory Rules |
| (md not incorp) = misdescribed amendment | Sub‑Ch = Sub‑Chapter(s) |
| cannot be given effect | SubPt = Subpart(s) |
| mod = modified/modification | underlining = whole or part not |
| No. = Number(s) | commenced or to be commenced |

Endnote 3—Legislation history

| Number and year | FRLI registration or gazettal | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- |
| 1958 No. 5 | 16 Jan 1958 | 16 Jan 1958 |  |
| 1959 No. 5 | 29 Jan 1959 | 29 Jan 1959 | — |
| 1961 No. 16 | 3 Feb 1961 | 3 Feb 1961 | — |
| 1961 No. 112 | 11 Sept 1961 | 11 Sept 1961 | — |
| 1963 No. 129 | 12 Dec 1963 | 12 Dec 1963 | — |
| 1963 No. 130 | 12 Dec 1963 | 12 Dec 1963 | — |
| 1964 No. 144 | 16 Nov 1964 | 21 Nov 1964 | — |
| 1965 No. 136 | 21 Sept 1965 | 21 Sept 1965 | — |
| 1966 No. 70 | 24 Mar 1966 | 24 Mar 1966 | — |
| 1966 No. 75 | 14 Apr 1966 | 14 Apr 1966 | — |
| 1967 No. 42 | 13 Apr 1967 | 13 Apr 1967 | — |
| 1967 No. 59 | 11 May 1967 | 11 May 1967 | — |
| 1967 No. 123 | 14 Sept 1967 | 14 Sept 1967 | — |
| 1968 No. 46 | 28 Mar 1968 | 28 Mar 1968 | — |
| 1968 No. 83 | 25 July 1968 | 25 July 1968 | — |
| 1968 No. 101 | 5 Sept 1968 | 5 Sept 1968 | — |
| 1968 No. 153 | 12 Dec 1968 | 12 Dec 1968 | — |
| 1968 No. 160 | 23 Dec 1968 | 23 Dec 1968 | — |
| 1968 No. 162 | 23 Dec 1968 | 23 Dec 1968 | — |
| 1969 No. 11 | 31 Jan 1969 | 31 Jan 1969 | — |
| 1969 No. 21 | 20 Feb 1969 | 20 Feb 1969 | — |
| 1969 No. 22 | 20 Feb 1969 | 20 Feb 1969 | — |
| 1969 No. 219 | 30 Dec 1969 | 30 Dec 1969 | — |
| 1970 No. 34 | 25 Mar 1970 | 25 Mar 1970 | — |
| 1970 No. 68 | 20 May 1970 | 20 May 1970 | — |
| 1970 No. 89 | 9 July 1970 | 9 July 1970 | — |
| 1970 No. 106 | 20 Aug 1970 | 20 Aug 1970 | — |
| 1970 No. 121 | 10 Sept 1970 | 10 Sept 1970 | — |
| 1972 No. 210 | 21 Dec 1972 | 21 Dec 1972 | — |
| 1973 No. 4 | 18 Jan 1973 | 18 Jan 1973 | — |
| 1973 No. 7 | 18 Jan 1973 | 18 Jan 1973 | — |
| 1973 No. 39 | 23 Feb 1973 | 23 Feb 1973 | — |
| 1973 No. 74 | 12 Apr 1973 | 12 Apr 1973 | — |
| 1973 No. 102 | 6 June 1973 | 6 June 1973 | — |
| 1973 No. 138 | 26 July 1973 | 26 July 1973 | — |
| 1973 No. 218 | 15 Nov 1973 | 15 Nov 1973 | — |
| 1973 No. 248 | 4 Dec 1973 | 4 Dec 1973 | — |
| 1974 No. 46 | 10 Apr 1974 | 10 Apr 1974 | — |
| 1974 No. 157 | 17 Sept 1974 | 17 Sept 1974 | — |
| 1974 No. 178 | 8 Oct 1974 | 8 Oct 1974 | — |
| 1974 No. 250 | 23 Dec 1974 | 23 Dec 1974 | r 7 |
| 1975 No. 19 | 20 Feb 1975 | 20 Feb 1975 | — |
| 1975 No. 44 | 25 Mar 1975 | 25 Mar 1975 | — |
| 1975 No. 45 | 24 Mar 1975 | 24 Mar 1975 | — |
| 1975 No. 173 | 26 Aug 1975 | 26 Aug 1975 | — |
| 1975 No. 224 | 23 Dec 1975 | 23 Dec 1975 | — |
| 1976 No. 169 | 25 Aug 1976 | 25 Aug 1976 | — |
| 1976 No. 233 | 25 Oct 1975 | 25 Oct 1975 | — |
| 1977 No. 89 | 15 June 1977 | 15 June 1977 | — |
| 1978 No. 14 | 3 Feb 1978 | 3 Feb 1978 | — |
| 1978 No. 58 | 2 May 1978 | 2 May 1978 | — |
| 1978 No. 59 | 2 May 1978 | 2 May 1978 | — |
| 1978 No. 277 | 29 Dec 1978 | 29 Dec 1978 | r 2 |
| 1979 No. 160 | 14 Aug 1979 | 14 Aug 1979 | — |
| 1979 No. 237 | 7 Nov 1979 | 7 Nov 1979 | — |
| 1980 No. 21 | 21 Feb 1980 | 21 Feb 1980 | — |
| 1980 No. 61 | 18 Mar 1980 | 18 Mar 1980 | — |
| 1980 No. 72 | 2 Apr 1980 | 2 Apr 1980 | — |
| 1980 No. 76 | 3 Apr 1980 | 3 Apr 1980 | — |
| 1980 No. 82 | 18 Apr 1980 | 18 Apr 1980 | — |
| 1980 No. 99 | 15 May 1980 | 15 May 1980 | — |
| 1980 No. 110 | 23 May 1980 | 23 May 1980 | — |
| 1980 No. 212 | 29 July 1980 | 29 July 1980 | — |
| 1980 No. 273 | 19 Sept 1980 | 19 Sept 1980 | — |
| 1980 No. 358 | 12 Dec 1980 | 12 Dec 1980 | r 2 |
| 1980 No. 381 | 31 Dec 1980 | 31 Dec 1980 | — |
| 1980 No. 383 | 31 Dec 1980 | 31 Dec 1980 | — |
| 1981 No. 49 | 31 Mar 1981 | 31 Mar 1981 | — |
| 1981 No. 72 | 15 Apr 1981 | 15 Apr 1981 | — |
| 1981 No. 86 | 6 May 1981 | 6 May 1981 | — |
| 1981 No. 149 | 23 June 1981 | 23 June 1981 | — |
| 1981 No. 225 | 21 Aug 1981 | 21 Aug 1981 | — |
| 1982 No. 251 | 4 Sept 1981 | 4 Sept 1981 | — |
| 1982 No. 324 | 13 Nov 1981 | 13 Nov 1981 | — |
| 1982 No. 169 | 16 July 1982 | 16 July 1982 | — |
| 1982 No. 171 | 16 July 1982 | 16 July 1982 | — |
| 1982 No. 310 | 17 Nov 1982 | 17 Nov 1982 | — |
| 1983 No. 272 | 14 Nov 1983 | 14 Nov 1983 | — |
| 1984 No. 35 | 15 Mar 1984 | 15 Mar 1984 | — |
| 1984 No. 63 | 30 Apr 1984 | 30 Apr 1984 | — |
| 1984 No. 191 | 10 Aug 1984 | 10 Aug 1984 | — |
| 1984 No. 262 | 28 Sept 1984 | 28 Sept 1984 | — |
| 1984 No. 263 | 28 Sept 1984 | 28 Sept 1984 | — |
| 1984 No. 316 | 2 Nov 1984 | 2 Nov 1984 | — |
| 1985 No. 1 | 24 Jan 1985 | 1 Feb 1985 | — |
| 1985 No. 68 | 17 May 1985 | 17 May 1985 | — |
| 1985 No. 138 | 28 June 1985 | 28 June 1985 | — |
| 1985 No. 378 | 20 Dec 1985 | 20 Dec 1985 | — |
| 1986 No. 76 | 24 Apr 1986 | 1 July 1986 | — |
| 1986 No. 89 | 14 May 1986 | 14 May 1986 | — |
| 1986 No. 177 | 4 July 1986 | 4 July 1986 | — |
| 1986 No. 178 | 4 July 1986 | 4 July 1986 | — |
| 1986 No. 328 | 6 Nov 1986 | 6 Nov 1986 | — |
| 1986 No. 364 | 19 Dec 1986 | 19 Dec 1986 | — |
| 1986 No. 365 | 19 Dec 1986 | 19 Dec 1986 | — |
| 1986 No. 366 | 19 Dec 1986 | 19 Dec 1986 | — |
| 1986 No. 388 | 22 Dec 1986 | 22 Dec 1986 | — |
| 1987 No. 97 | 29 May 1987 | r 3 and 6: 1 June 1987 Remainder: 29 May 1987 | — |
| 1987 No. 115 | 15 June 1987 | 15 June 1987 | — |
| 1987 No. 156 | 15 July 1987 | 15 July 1987 | — |
| 1987 No. 176 | 27 Aug 1987 | 27 Aug 1987 | — |
| 1987 No. 301 | 17 Dec 1987 | 17 Dec 1987 | — |
| 1987 No. 317 | 22 Dec 1987 | 1 Jan 1988 | — |
| 1987 No. 318 | 22 Dec 1987 | 22 Dec 1987 | — |
| 1987 No. 319 | 22 Dec 1987 | 22 Dec 1987 | — |
| 1988 No. 65 | 29 Apr 1988 | 29 Apr 1988 | — |
| 1988 No. 178 | 8 July 1988 | 8 July 1988 | — |
| 1988 No. 195 | 29 July 1988 | 1 Aug 1988 | — |
| 1988 No. 361 | 21 Dec 1988 | 21 Dec 1988 | — |
| 1989 No. 57 | 14 Apr 1989 | 14 Apr 1989 | — |
| 1989 No. 59 | 17 Apr 1989 | 23 May 1989 | — |
| 1989 No. 196 | 21 July 1989 | 25 July 1989 | r 11 |
| 1989 No. 264 | 6 Oct 1989 | 6 Oct 1989 | — |
| 1989 No. 388 | 21 Dec 1989 | 21 Dec 1989 | — |
| 1990 No. 125 | 5 June 1990 | 5 June 1990 | — |
| 1990 No. 146 | 25 June 1990 | 25 June 1990 | — |
| 1990 No. 190 | 29 June 1990 | r 2 and 4: 21 Mar 1990 Remainder: 29 June 1990 | — |
| 1990 No. 264 | 8 Aug 1990 | 8 Aug 1990 | — |
| 1990 No. 333 | 18 Oct 1990 | 18 Oct 1990 | — |
| 1990 No. 438 | 21 Dec 1990 | 1 Jan 1991 | — |
| 1991 No. 24 | 27 Feb 1991 | 27 Feb 1991 | — |
| 1991 No. 77 | 30 Apr 1991 | 30 Apr 1991 | — |
| 1991 No. 118 | 6 June 1991 | 6 June 1991 | — |
| 1991 No. 288 | 17 Sept 1991 | 17 Sept 1991 | — |
| 1991 No. 413 | 12 Dec 1991 | 12 Dec 1991 | — |
| 1992 No. 61 | 5 Mar 1992 | 5 Mar 1992 | — |
| 1992 No. 83 | 2 Apr 1992 | 2 Apr 1992 | — |
| 1992 No. 103 | 16 Apr 1992 | 16 Apr 1992 | — |
| 1992 No. 155 | 2 June 1992 | 2 June 1992 | — |
| 1992 No. 412 | 16 Dec 1992 | 16 Dec 1992 | — |
| 1992 No. 414 | 16 Dec 1992 | 16 Dec 1992 | — |
| 1993 No. 68 | 11 May 1993 | 11 May 1993 | — |
| 1993 No. 212 | 3 Aug 1993 | 3 Aug 1993 | — |
| 1993 No. 258 | 1 Oct 1993 | 1 Oct 1993 | — |
| 1993 No. 322 | 3 Dec 1993 | 3 Dec 1993 | — |
| 1994 No. 32 | 7 Mar 1994 | 7 Mar 1994 | — |
| 1994 No. 143 | 23 May 1994 | 23 May 1994 | — |
| 1994 No. 172 | 8 June 1994 | 8 June 1994 | — |
| 1994 No. 242 | 4 July 1994 | 4 July 1994 | — |
| 1994 No. 313 | 6 Sept 1994 | 6 Sept 1994 | — |
| 1994 No. 379 | 16 Nov 1994 | 16 Nov 1994 | — |
| 1994 No. 392 | 25 Nov 1994 | 25 Nov 1994 | — |
| 1994 No. 416 | 13 Dec 1994 | 13 Dec 1994 | — |
| 1995 No. 71 | 11 Apr 1995 | 11 Apr 1995 | — |
| 1995 No. 90 | 12 May 1995 | 12 May 1995 | — |
| 1996 No. 32 | 22 Mar 1996 | 22 Mar 1996 | — |
| 1996 No. 47 | 30 Apr 1996 | 30 Apr 1996 Note: disallowed by the Senate on 23 May 1996 | — |
| 1996 No. 48 | 30 Apr 1996 | 30 Apr 1996 Note: disallowed by the Senate on 23 May 1996 | — |
| 1996 No. 49 | 30 Apr 1996 | 30 Apr 1996 Note: disallowed by the Senate on 23 May 1996 | — |
| 1996 No. 50 | 30 Apr 1996 | 30 Apr 1996 Note: disallowed by the Senate on 23 May 1996 | — |
| 1996 No. 69 | 31 May 1996 | 31 May 1996 | — |
| 1996 No. 225 | 24 Oct 1996 | 24 Oct 1996 | — |
| 1996 No. 281 | 12 Dec 1996 | r 5.4: 29 Apr 1997  Remainder: 12 Dec 1996 | — |
| 1996 No. 282 | 12 Dec 1996 | 12 Dec 1996 | — |
| 1997 No. 30 | 6 Mar 1997 | 6 Mar 1997 | — |
| 1997 No. 31 | 6 Mar 1997 | 6 Mar 1997 | — |
| 1997 No. 32 | 6 Mar 1997 | 6 Mar 1997 | — |
| 1997 No. 33 | 6 Mar 1997 | 6 Mar 1997 | — |
| 1997 No. 380 | 24 Dec 1997 | 24 Dec 1997 | — |
| 1997 No. 381 | 24 Dec 1997 | 24 Dec 1997 | — |
| 1997 No. 382 | 24 Dec 1997 | 24 Dec 1997 | — |
| 1997 No. 383 | 24 Dec 1997 | 24 Dec 1997 | — |
| 1998 No. 211 | 1 July 1998 | 1 July 1998 | — |
| 1999 No. 9 | 11 Feb 1999 | 11 Feb 1999 | — |
| 1999 No. 164 | 16 Aug 1999 | 16 Aug 1999 | — |
| 1999 No. 200 | 16 Sept 1999 | 16 Sept 1999 | — |
| 1999 No. 216 | 17 Sept 1999 | 17 Sept 1999 | — |
| 1999 No. 248 | 27 Oct 1999 | 27 Oct 1999 | — |
| 1999 No. 274 | 12 Nov 1999 | 12 Nov 1999 | — |
| 1999 No. 331 | 22 Dec 1999 | 22 Dec 1999 | — |
| 2000 No. 211 | 11 Aug 2000 | 11 Aug 2000 | — |
| 2000 No. 212 | 11 Aug 2000 | 11 Aug 2000 | — |
| 2001 No. 171 | 5 July 2001 | 5 July 2001 | — |
| 2002 No. 29 | 7 Mar 2002 | 7 Mar 2002 | — |
| 2002 No. 139 | 27 June 2002 | Sch 1: 1 July 2002 Remainder: 1 Sept 2002 | — |
| 2002 No. 204 | 6 Sept 2002 | 6 Sept 2002 | — |
| 2002 No. 205 | 6 Sept 2002 | 6 Sept 2002 | — |
| 2002 No. 330 | 20 Dec 2002 | 1 Jan 2003 | — |
| 2003 No. 17 | 27 Feb 2003 | 27 Feb 2003 | — |
| 2003 No. 44 | 27 Mar 2003 | 27 Mar 2003 | — |
| 2003 No. 52 | 14 Apr 2003 | 14 Apr 2003 | — |
| 2003 No. 88 | 22 May 2003 | 22 May 2003 | — |
| 2003 No. 97 | 29 May 2003 | 29 May 2003 | r 4–9 |
| 2003 No. 308 | 11 Dec 2003 | 11 Dec 2003 | — |
| 2003 No. 320 | 19 Dec 2003 | 31 Dec 2003 | — |
| 2004 No. 32 | 18 Mar 2004 | 18 Mar 2004 | — |
| 2004 No. 107 | 3 June 2004 | 3 June 2004 | — |
| 2004 No. 141 | 25 June 2004 | 25 June 2004 | — |
| 2004 No. 244 | 12 Aug 2004 | 18 Aug 2004 | — |
| 2005 No. 16 | 25 Feb 2005 (F2005L00375) | 1 Mar 2005 | — |
| 2005 No. 95 | 27 May 2005 (F2005L01003) | 28 May 2005 | — |
| 2005 No. 162 | 22 July 2005 (F2005L02004) | 23 July 2005 | — |
| 2005 No. 278 | 2 Dec 2005 (F2005L03718) | 6 Dec 2005 | — |
| 2005 No. 299 | 16 Dec 2005 (F2005L04018) | 31 Dec 2005 | — |
| 2006 No. 115 | 6 June 2006 (F2006L01689) | 12 June 2006 | — |
| 2006 No. 195 | 27 July 2006 (F2006L02432) | 28 July 2006 | — |
| 2006 No. 281 | 2 Nov 2006 (F2006L03550) | 3 Nov 2006 | — |
| 2006 No. 289 | 17 Nov 2006 (F2006L03705) | 18 Nov 2006 | — |
| 2007 No. 4 | 19 Feb 2007 (F2007L00416) | 20 Feb 2007 | — |
| 2007 No. 234 | 13 Aug 2007 (F2007L02476) | Sch 1: 27 Aug 2007 (r 2(a)) Remainder: 1 Mar 2008 | — |
| 2007 No. 292 | 28 Sept 2007 (F2007L03838) | 29 Sept 2007 | — |
| 2007 No. 346 | 19 Oct 2007 (F2007L04093) | 20 Oct 2007 | — |
| 2008 No. 22 | 20 Mar 2008 (F2008L00928) | 24 Mar 2008 (r 2) | — |
| 2008 No. 174 | 1 Sept 2008 (F2008L03224) | 2 Sept 2008 | — |
| 2009 No. 187 | 3 Aug 2009 (F2009L02946) | 4 Aug 2009 | — |
| 2010 No. 15 | 2 Mar 2010 (F2010L00538) | 3 Mar 2010 | — |
| 2010 No. 223 | 22 July 2010 (F2010L02113) | 23 July 2010 | — |
| 2010 No. 314 | 13 Dec 2010 (F2010L03171) | 14 Dec 2010 | — |
| 2011 No. 18 | 16 Mar 2011 (F2011L00437) | 17 Mar 2011 | — |
| 2011 No. 46 | 8 Apr 2011 (F2011L00589) | 9 Apr 2011 | — |
| 2011 No. 172 | 5 Oct 2011 (F2011L02027) | 6 Oct 2011 | — |
| 2011 No. 231 | 14 Dec 2011 (F2011L02675) | 15 Dec 2011 (r 2) | — |
| 2012 No. 119 | 28 June 2012 (F2012L01402) | 1 July 2012 | — |
| 2012 No. 177 | 2 Aug 2012 (F2012L01645) | 3 Aug 2012 | — |
| 2012 No. 209 | 31 Aug 2012 (F2012L01817) | 1 Jan 2013 | — |
| 2012 No. 320 | 7 Dec 2012 (F2012L02371) | Sch 1: 10 Dec 2012 | — |
| 41, 2013 | 3 Apr 2013 (F2013L00597) | 4 Apr 2013 | — |
| 42, 2013 | 3 Apr 2013 (F2013L00598) | 4 Apr 2013 | — |
| 90, 2013 | 5 June 2013 (F2013L00919) | 6 June 2013 (s 2 and F2013L00903) | — |
| 51, 2014 | 19 May 2014 (F2014L00565) | Sch 1 (item 1): 20 May 2014 | — |
| 13, 2015 | 3 Mar 2015 (F2015L00246) | Sch 1: 4 Mar 2015 (s 2) | — |
| 90, 2015 | 19 June 2015 (F2015L00854) | Sch 2 (items 91–94): 1 July 2015 (s 2(1) item 2) | — |
| 152, 2015 | 4 Sept 2015 (F2015L01398) | Sch 1 (items 1–17): 5 Sept 2015 (s 2(1) item 2) | — |

| Name | Registration | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- |
| Acts and Instruments (Framework Reform) (Consequential Amendments) Regulation 2016 | 29 Feb 2016 (F2016L00170) | Sch 1 (item 16): 5 Mar 2016 (s 2(1) item 1) | — |
| Customs (Prohibited Exports) Amendment (Liquefied Natural Gas) Regulations 2017 | 30 June 2017 (F2017L00826) | 1 July 2017 (s 2(1) item 1) | — |
| Customs Legislation Amendment (Ozone Protection and Synthetic Greenhouse Gas Management Consequential Amendments) Regulations 2017 | 18 Dec 2017 (F2017L01645) | Sch 1 (items 1–4): 19 Dec 2017 (s 2(1) item 2) Sch 1 (items 9–12): 1 Jan 2018 (s 2(1) items 3, 4) | — |
| Trade and Customs Legislation Amendment (Miscellaneous Measures) Regulations 2018 | 3 Apr 2018 (F2018L00459) | Sch 2 (items 1–20): 4 Apr 2018 (s 2(1) item 3) | — |
| Customs (Prohibited Exports) Amendment (Defence and Strategic Goods) Regulations 2018 | 20 Apr 2018 (F2018L00503) | Sch 1 (items 1–12, 31): 21 Apr 2018 (s 2(1) item 1) | — |
| Customs (Prohibited Exports) Amendment (Chemicals) Regulations 2018 | 29 June 2018 (F2018L00950) | 30 June 2018 (s 2(1) item 1) | — |
| Customs Legislation Amendment (Prohibited Exports and Imports) Regulations 2018 | 17 Aug 2018 (F2018L01135) | Sch 1 (items 1–4): 18 Aug 2018 (s 2(1) item 1) | — |
| Customs Legislation Amendment (Prohibited Substances) Regulations 2018 | 26 Oct 2018 (F2018L01467) | Sch 1 (items 1–10): 27 Oct 2018 (s 2(1) item 1) | — |
| Customs Legislation Amendment (Asbestos) Regulations 2019 | 25 Mar 2019 (F2019L00365) | Sch 1 (items 1–10): 26 Mar 2019 (s 2(1) item 1) | — |
| Customs Legislation Amendment (2019 Measures No. 1) Regulations 2019 | 9 Apr 2019 (F2019L00594) | Sch 1 (items 1–17): 1 May 2019 (s 2(1) item 1) | — |
| Customs Legislation Amendment (Prohibited Exports and Imports) Regulations 2019 | 16 Dec 2019 (F2019L01615) | Sch 1 (items 1–11): 17 Dec 2019 (s 2(1) item 1) | — |
| Customs (Prohibited Exports) Amendment (COVID‑19 Human Biosecurity Emergency) Regulations 2020 | 29 Mar 2020 (F2020L00343) | 30 Mar 2020 (s 2(1) item 1) | — |
| Customs (Prohibited Exports) Amendment (Phorate) Regulations 2020 | 10 July 2020 (F2020L00902) | 11 July 2020 (s 2(1) item 1) | — |
| Criminal Code and Customs Legislation Amendment (Precursors and Drugs) Regulations 2020 | 10 Aug 2020 (F2020L01003) | Sch 1 (items 13–22): 12 Aug 2020 (s 2(1) item 1) | — |
| Customs Legislation Amendment (Objectionable Goods) Regulations 2020 | 21 Aug 2020 (F2020L01046) | Sch 1 (items 1–4): 27 Aug 2020 (s 2(1) item 1) | — |
| Customs (Prohibited Exports) Amendment (COVID‑19 Export Restrictions Repeal) Regulations 2020 | 10 Dec 2020 (F2020L01567) | 11 Dec 2020 (s 2(1) item 1) | — |
| Export Control Legislation (Repeals and Consequential Amendments) Regulations 2021 | 25 Mar 2021 (F2021L00336) | Sch 2 (items 2, 3): 3 am (A.C.T.) 28 Mar 2021 (s 2(1) item 1) | — |
| Minamata Convention on Mercury (Consequential Amendments) Regulations 2021 | 5 Oct 2021 (F2021L01390) | Sch 1 (items 43–53): 7 Mar 2022 (s 2(1) item 1) | — |
| Autonomous Sanctions Amendment (Magnitsky‑style and Other Thematic Sanctions) Regulations 2021 | 20 Dec 2021 (F2021L01855) | Sch 1 (items 30–32): 21 Dec 2021 (s 2(1) item 1) | — |
| Customs (Prohibited Exports) Amendment (Liquefied Natural Gas) Regulations 2022 | 18 Aug 2022 (F2022L01078) | 19 Aug 2022 (s 2(1) item 1) | — |
| Customs (Prohibited Exports) Amendment (Liquefied Natural Gas) Regulations 2023 | 30 Mar 2023 (F2023L00380) | 2:55 pm (A.C.T.) 30 Mar 2023 (s 2(1) item 1) | — |

| Act | Number and year | Assent | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- | --- |
| Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Act 2006 | 172, 2006 | 12 Dec 2006 | 12 June 2007 | — |
| Wheat Export Marketing (Repeal and Consequential Amendments) Act 2008 | 66, 2008 | 30 Jun 2008 | Sch 2 (items 6–8): 1 July 2008 | — |

Endnote 4—Amendment history

| Provision affected | How affected |
| --- | --- |
| **Part 1** |  |
| Part 1 heading | ad 2002 No 139 |
| r 1 | rs 1999 No 9 |
| r 2 | rs No 129, 1963 |
|  | am No 219, 1969; No 288, 1991; No 172, 1994; No 164, 1999; No 171, 2001; No 29, 2002; No 17, 2003; No 320, 2003; No 107, 2004; No 162, 2005; No 115, 2006; No 187, 2009; No 152, 2015; F2017L01645; F2018L00503; F2019L00365; F2020L00343; F2020L01567; F2021L01390 |
| **Part 2** |  |
| Part 2 heading | ad 2002 No 139 |
| r 2A | ad 1976 No 169 |
|  | rs 1977 No 89 |
|  | am 1989 No 264; 1991 No 288 |
| **Part 3** |  |
| Part 3 heading | ad 2002 No 139 |
| **Division 1** |  |
| Division 1 heading | ad 2002 No 139 |
|  | rs 2002 No 330 |
| r 3 | rep No 57, 1989 |
|  | ad No 381, 1997 |
|  | am No 16, 2005; No 346, 2007; No 209, 2012; F2019L00594; F2020L01046 |
| r 4 | rs 1988 No 195 |
|  | rep 1989 No 196 |
|  | ad 2003 No 320 |
|  | am F2019L00365 |
| r 4A | ad No 244, 2004 |
|  | am No 115, 2006; F2019L00594; F2021L01390 |
| r 5 | rs No 138, 1973 |
|  | am No 358, 1980; No 324, 1981; No 262, 1984; No 318, 1987; No 125, 1990; No 288, 1991; No 331, 1999; No 139, 2002; No 234, 2007; Act No 66, 2008; F2019L00594; F2021L00336 |
| r 5A | ad 1973 No 138 |
|  | am 1975 No 224 |
|  | rep 1976 No 233 |
|  | ad 1980 No 61 |
|  | rep 1980 No 76 |
| r 6 | rep 1959 No 5 |
|  | ad 1968 No 160 |
|  | am 1973 No 7 |
|  | rep 1980 No 72 |
|  | ad 1988 No 65 |
|  | rep 1997 No 380 |
|  | ad 2000 No 211 |
| r 6A | rep 1986 No 365 |
| r 6B | ad 1970 No 68 |
|  | rep 1980 No 72 |
|  | ad 1980 No 110 |
|  | rep 1981 No 86 |
| r 7 | am 1975 No 224; 1982 No 171; 1987 No 318 |
|  | rs 1988 No 195 |
|  | rep 1989 No 196 |
|  | ad 2003 No 17 |
|  | rs 2003 No 44 |
|  | am 2004 No 32; 2006 No 195 |
|  | rep Act No 172, 2006 |
| r 8 | am 1987 No 318; 1990 No 125 |
|  | rs 1991 No 288 |
|  | am 1992 No 414; 1993 No 212; 2002 No 139 |
| r 8A | ad 2009 No 187 |
| r 9 | rs 1973 No 39 |
|  | am No 248, 1973; No 46, 1974; No 224, 1975; No 233, 1976; No 14, 1978; No 277, 1978; No 149, 1981; No 177, 1986; No 317, 1987; No 318, 1987; No 125, 1990; No 211, 2000; No 139, 2002; F2019L00594 |
| r 9AAA | ad Act No 66, 2008 |
|  | rep 2012 No 320 |
| r 9AA | ad No 330, 2002 |
|  | am F2019L00594 |
| r 9AB | ad 2004 No 141 |
| r 9AC | ad 2005 No 162 |
| r 9AD | ad No 299, 2005 |
|  | am F2019L00594 |
| **Division 2** |  |
| Division 2 heading | ad 2002 No 139 |
|  | rs 2002 No 139 |
| r 9A | ad 2002 No 139 |
|  | am 2002 No 139 |
| r 10 | rep 1959 No 5 |
|  | ad 1969 No 219 |
|  | am 1974 No 250; 1976 No 233; 1987 No 318; 1990 No 125; 1991 No 288; 1992 No 414; 1993 No 212 |
|  | rs 2002 No 139 |
| r 10AA | ad 2002 No 139 |
|  | rs F2019L01615 |
| r 10AB | ad 2002 No 139 |
| r 10A | ad 1969 No 219 |
|  | am 1974 No 250; 1987 No 318; 1990 No 125; 1991 No 288; 1993 No 212 |
|  | rs 2002 No 139 |
|  | am 2002 No 139 |
| r 10B | ad 1969 No 219 |
|  | am 1974 No 250; 1987 No 318; 1990 No 125; 1991 No 288; 1993 No 212; 1997 No 383 |
|  | rs 2002 No 139 |
|  | am 2002 No 139; No 90, 2015 |
| r 10C | ad 1974 No 250 |
| r 10CA | ad 2002 No 139 |
| r 10D | ad 1974 No 250 |
|  | am 2002 No 139 |
| r 10E | ad 1974 No 250 |
|  | am 1987 No 318; 1991 No 288; 1993 No 212; 1997 No 383 |
|  | rs 2002 No 139 |
|  | am 2002 No 139; No 90, 2015 |
| r 10F | ad 1991 No 288 |
|  | am 1993 No 212; 2002 No 139 |
| **Division 2A** |  |
| Division 2A | ad 2011 No 231 |
| r 11 | ad 2011 No 231 |
|  | am No 42, 2013 |
| r 11A | ad No 231, 2011 |
|  | am F2021L01855 |
| r 11B | ad No 231, 2011 |
|  | am F2021L01855 |
| **Division 3** |  |
| Division 3 heading | ad 2002 No 139 |
| r 11 | rs 1973 No 39 |
|  | am 1975 No 224; 1978 No 14; 1987 No 318; 1989 No 388; 1990 No 125; 1996 No 32 |
|  | rep 2000 No 211 |
| r 12 | rep 1963 No 130 |
|  | ad 1968 No 83 |
|  | am 1975 No 224; 1980 No 21; 1985 No 1; 1987 No 318; 1990 No 125 |
|  | rep 1992 No 414 |
| r 13 | rep 1986 No 178 |
| r 13A | ad 1973 No 138 |
|  | am 1980 No 21; 1982 No 310; 1983 No 272; 1984 No 316; 1986 No 89; 1987 No 318 |
|  | rep 1988 No 195 |
| r 13B | ad 1979 No 237 |
|  | am 1980 No 383; 1982 No 171; 1987 No 97; 1989 No 196; 1992 No 61; 1994 Nos 32 and 392; 1995 No 90 |
|  | rep 1996 No 281 |
| r 13C | ad 1985 No 378 |
|  | am 1987 Nos 97, 317 and 318; 1990 No 190; 1993 No 258 |
|  | rep 1994 No 242 |
| r 13CA | ad 1990 No 264 |
|  | am 1991 No 24; 1991 No 77 |
|  | rs 1991 No 118 |
|  | am 1996 No 69; 2002 No 139; No 330, 2002 |
|  | rep 2003 No 97 |
| r 13CB | ad 1992 No 103 |
|  | am 2002 No 139 |
|  | rep 2002 No 204 |
| r 13CC | ad 1992 No 155 |
|  | am 1996 No 32 |
|  | rep 1996 No 282 |
| r 13CD | ad 1993 No 68 |
|  | rep 1996 No 32 |
| r 13CE | ad 1994 No 172 |
|  | am 1997 No 382; 1998 No 211; 2002 No 139 |
|  | rep 2003 No 52 |
| r 13CF | ad 1994 No 172 |
|  | rep 1994 No 379 |
|  | ad 1999 No 164 |
|  | am 2002 No 139 |
|  | rep 2003 No 52 |
| r 13CG | ad 1994 No 313 |
|  | am 2002 No 139; 2008 No 22 |
|  | rep 2008 No 174 |
| r 13CH | ad 1997 No 382 |
|  | am 1998 No 211 |
|  | rs 1999 No 164 |
|  | am 2001 No 171; 2002 No 139; 2008 No 22 |
|  | rep 2010 No 314 |
| r 13CI | ad 2001 No 171 |
|  | am 2002 Nos 29 and 139; 2008 No 22; F2018L00503 |
| r 13CJ | ad 2001 No 171 |
| r 13CK | ad 2002 No 29 |
|  | am 2002 No 139; 2008 No 22; F2018L00503 |
| r 13CL | ad 2005 No 95 |
|  | am 2008 No 22; F2018L00503 |
| r 13CM | ad 2005 No 95 |
|  | am 2008 No 22; F2018L00503 |
| r 13CN | ad 2005 No 95 |
|  | am 2008 No 22; 2011 No 172; F2018L00503 |
| r 13CO | ad No 281, 2006 |
|  | am No 22, 2008 |
|  | ed C84 |
|  | am F2018L00503; F2018L01135 |
| r 13CP | ad 2006 No 289 |
|  | am 2008 No 22; F2018L00503 |
| r 13CQ | ad 2007 No 4 |
|  | am 2008 No 22; 2010 No 223 |
| r 13CR | ad 2010 No 15 |
|  | am 2010 No 314; F2018L00503 |
| r 13CS | ad 2011 No 18 |
|  | am F2018L00503 |
| r 13CT | ad No 51, 2014 |
|  | am F2018L00503 |
| **Division 4** |  |
| Division 4 heading | ad 2002 No 139 |
|  | rs F2018L00503 |
| r 13D | ad 1987 No 97 |
|  | am 1987 No 319; 1989 No 196 |
|  | rep 1996 No 281 |
|  | ad 1999 No 200 |
| **Division 4A** |  |
| Division 4A | ad F2018L00503 |
| r 13E | ad 1987 No 115 |
|  | am 1987 Nos 156 and 319; 1989 Nos 59 and 196; 1990 No 146; 1991 Nos 118 and 413; 1992 No 412; 1993 No 322; 1994 No 416; 1995 No 90; 1996 No 281; 1999 Nos 216 and 274; 2000 No 212; 2001 No 171; 2003 Nos 88 and 308; No 90, 2013 |
|  | rs F2018L00503 |
| r 13EA | ad F2018L00503 |
| r 13EB | ad F2018L00503 |
| r 13EC | ad F2018L00503 |
| r 13ED | ad F2018L00503 |
| r 13EE | ad F2018L00503 |
| r 13EF | ad F2018L00503 |
| r 13EG | ad F2018L00503 |
| r 13EH | ad F2018L00503 |
| r 13EI | ad F2018L00503 |
| r 13EJ | ad F2018L00503 |
| r 13EK | ad F2018L00503 |
| **Division 4B** |  |
| Division 4B heading | ad F2018L00503 |
| r 13F | ad 1987 No 115 |
|  | am 1987 Nos 156 and 319 |
|  | rs 1988 No 178 |
|  | rep 1989 No 59 |
|  | ad 1993 No 322 |
|  | rep 1996 No 281 |
|  | ad 1997 No 383 |
|  | am 2002 No 139 |
|  | rs 2004 No 107 |
| r 13G | ad 1987 No 176 |
|  | am 1987 No 319 |
|  | rep 1989 No 59 |
|  | ad 1993 No 322 |
|  | rep 1996 No 281 |
|  | ad 1999 No 9 |
|  | am No 139, 2002; F2019L00594 |
| **Division 5** |  |
| Division 5 | ad 2002 No 205 |
| r 13GA | ad 2002 No 205 |
| **Division 6** |  |
| Division 6 | ad F2017L00826 |
|  | rep 1 Jan 2030 (r 13GH) |
| r 13GB | ad F2017L00826 |
|  | am F2023L00380 |
|  | rep 1 Jan 2030 (r 13GH) |
| r 13GC | ad F2017L00826 |
|  | am F2023L00380 |
|  | rep 1 Jan 2030 (r 13GH) |
| r 13GD | ad F2017L00826 |
|  | rep 1 Jan 2030 (r 13GH) |
| r 13GE | ad F2017L00826 |
|  | am F2023L00380 |
|  | rep 1 Jan 2030 (r 13GH) |
| r 13GF | ad F2017L00826 |
|  | rep 1 Jan 2030 (r 13GH) |
| r 13GG | ad F2017L00826 |
|  | am F2022L01078 |
|  | rep 1 Jan 2030 (r 13GH) |
| r 13GH | ad F2017L00826 |
|  | am F2022L01078 |
|  | rep 1 Jan 2030 (r 13GH) |
| Division 7 | ad F2020L00343 |
|  | rep F2020L01567 |
| r 13GI | ad F2020L00343 |
|  | rep F2020L01567 |
| r 13GJ | ad F2020L00343 |
|  | rep F2020L01567 |
| **Part 4** |  |
| Part 4 heading | ad No 139, 2002 |
| r 13H | ad No 319, 1987 |
|  | am No 59, 1989; No 196, 1989; No 125, 1990; No 264, 1990; No 333, 1990; No 103, 1992; No 155, 1992; No 68, 1993; No 322, 1993; No 172,1994; No 313, 1994; No 379, 1994; No 281, 1996; No 382, 1997; No 211, 1998; No 9, 1999; No 164, 1999; No 331, 1999; No 171, 2001; No 139, 2002; No 52, 2003; No 174, 2008; No 314, 2010; F2018L00503; F2019L00594 |
| **Part 5** |  |
| Part 5 heading | ad F2018L00503 |
| r 15 | rep No 125, 1990 |
|  | ad No 152, 2015 |
|  | rep 4 Oct 2015 (s 15(3)) |
| r 17 | ad No 90, 2015 |
| r 18 | ad F2018L00503 |
| r 19 | ad F2019L00365 |
| r 20 | ad F2020L01046 |
| r 21 | ad F2021L01390 |
| r 22 | ad F2023L00380 |
| Heading to The  Schedules | rep 1990 No 125 |
| **Schedule 1** |  |
| Schedule 1 heading | rep F2019L00365 |
| First Schedule | am 1961 Nos 16 and 112; 1965 No 136; 1969 No 21; 1970 No 106; 1973 No 74; 1981 No 251; 1987 No 317; 1988 No 178 |
|  | rep 1989 No 57 |
| Schedule 1 | ad 2003 No 320 |
|  | am F2019L00365 |
| **Schedule 2** |  |
| Second Schedule | am 1959 No 5; 1961 Nos 16 and 112; 1963 Nos 129 and 130; 1965 No 136; 1967 Nos 42 and 59; 1968 No 101; 1969 Nos 21 and 219; 1970 Nos 34 and 106; 1972 No 210; 1973 Nos 4, 74, 102, 138 and 218; 1974 Nos 157, 178 and 250; 1975 Nos 19 and 173; 1976 No 169; 1978 No 58; 1979 No 237; 1980 Nos 212, 273 and 381; 1981 No 72; 1984 No 63; 1985 No 138; 1987 No 317; 1988 No 65 |
|  | rep 1988 No 195 |
| Schedule 2 | ad No 244, 2004 |
|  | am No 115, 2006; No 46, 2011; No 177, 2012; No 13, 2015; F2018L00950 |
| **Part 1** |  |
| Part 1 heading | ad F2018L00950 |
| Part 1 | am F2018L00950; F2020L00902; F2021L01390 |
| **Part 2** |  |
| Part 2 | ad F2018L00950 |
| **Schedule 3** |  |
| Heading to Third  Schedule | rep 1990 No 125 |
| Heading to Schedule 3 | ad 1990 No 125 |
|  | am 2002 No 139 |
| Third Schedule | am 1959 No 5; 1961 No 112; 1963 No 130; 1967 No 123; 1970 No 121; 1973 No 138; 1975 No 45; 1976 No 233; 1980 Nos 21, 82 and 99; 1981 Nos 49, 86, 251 and 234; 1982 No 169; 1986 Nos 76, 178 and 366; 1987 Nos 301 and 318; 1988 No 361; 1989 No 264 |
| Schedule 3 | am 2007 No 234; Act No 66, 2008 |
| **Schedule 4** |  |
| Fourth Schedule | rep 1959 No 5 |
|  | ad 1968 No 160 |
|  | rep 1973 No 7 |
|  | ad 1973 No 138 |
|  | am 1975 No 224 |
|  | rep 1976 No 233 |
| Schedule 4 | ad 2000 No 211 |
| Fifth Schedule | am 1975 No 224; 1982 No 171; 1987 No 318 |
|  | rep 1988 No 195 |
| **Schedule 6** |  |
| Heading to Sixth  Schedule | rep 1990 No 125 |
| Heading to Schedule 6 | ad 1990 No 125 |
| Sixth Schedule | am 1961 No 112; 1963 No 130; 1966 No 70; 1973 No 74; 1987 Nos 317 and 318 |
| Schedule 6 | rs 1991 No 288 |
|  | am 2003 No 17; 2009 No 187 |
| **Schedule 7** |  |
| Heading to Seventh  Schedule | rep 1990 No 125 |
| Heading to Schedule 7 | ad No 125, 1990 |
|  | rs No 299, 2005 |
|  | am F2019L00594 |
| Seventh Schedule | am 1959 No 5; 1961 Nos 16 and 112; 1964 No 144; 1966 No 75; 1967 No 123; 1968 No 162; 1969 No 22; 1970 No 89 |
|  | rep 1973 No 39 |
|  | ad 1981 No 149 |
|  | am 1986 Nos 177 and 364; 1987 Nos 317 and 318 |
| Schedule 7 | am No 190, 1990 |
|  | rs No 438, 1990 |
|  | am No 103, 1992; No 30, 1997; No 31, 1997; No 32, 1997; No 33, 1997 |
|  | rs No 211, 2000 |
|  | am No 292, 2007; F2016L00170; F2019L00594 |
| **Schedule 7A** |  |
| Schedule 7A | ad 2005 No 299 |
| **Schedule 8** |  |
| Heading to Eighth  Schedule | rep 1990 No 125 |
| Heading to Schedule 8 | ad 1990 No 125 |
| Eighth Schedule | ad 1969 No 219 |
|  | am 1970 No 106 |
|  | rs 1974 No 250 |
|  | am 1981 No 251; 1984 No 263; 1986 No 388; 1987 No 317; 1988 No 178 |
| Schedule 8 | rs No 288, 1991 |
|  | am No 212, 1993; No 225, 1996; No 248, 1999; No 211, 2000; No 29, 2002; No 139, 2002; No 278, 2005; No 41, 2013; No 152, 2015 |
|  | ed C84 |
|  | am F2018L00459; F2018L01467; F2019L01615; F2020L01003 |
| **Schedule 9** |  |
| Ninth Schedule | am 1959 No 5 |
|  | rs 1961 No 112; 1963 No 130 |
|  | am 1973 No 39; 1975 Nos 44 and 224; 1978 Nos 14 and 59; 1979 No 160; 1981 No 225; 1984 No 35; 1985 No 68; 1987 No 318 |
|  | rep 1989 No 388 |
| Heading to Schedule 9 | rs 1996 No 281 |
| Schedule 9 | ad 1989 No 388 |
|  | am 1992 No 83 |
|  | rs 1994 No 143 |
|  | am 1995 No 71; 1996 No 281 |
|  | rep 2000 No 211 |
|  | ad 2002 No 139 |
| Heading to Tenth  Schedule | rep 1990 No 125 |
| Heading to Schedule 10 | ad 1990 No 125 |
|  | rep 1992 No 414 |
| Tenth Schedule | rs 1959 No 5 |
|  | am 1961 No 112 |
|  | rep 1963 No 130 |
|  | ad 1968 No 83 |
|  | am 1975 No 224; 1980 No 21 |
|  | rs 1985 No 1 |
|  | am 1987 No 318 |
| Schedule 10 | rep 1992 No 414 |
| Eleventh Schedule | am 1968 Nos 46 and 153; 1970 No 34 |
|  | rep 1986 No 178 |
| Twelfth Schedule | ad 1973 No 138 |
|  | am 1980 No 21; 1982 No 310 |
|  | rs 1983 No 272 |
|  | am 1984 Nos 63 and 316; 1986 Nos 89 and 328; 1987 No 318 |
|  | rep 1988 No 195 |
| Schedule 13 | ad 1979 No 237 |
|  | am 1980 No 383; 1982 No 171; 1984 No 191; 1987 Nos 97 and 115 |
|  | rs 1989 No 196 |
|  | am 1992 No 61 |
|  | rs 1994 No 32 |
|  | rep 1996 No 281 |
| Schedule 14 | ad 1985 No 378 |
|  | am 1987 Nos 97, 317 and 318; 1989 No 196; 1990 No 190; 1993 No 258 |
|  | rep 1994 No 242 |
| Schedule 14A | ad 1992 No 103 |
|  | rs 1994 No 172 |
|  | am 1996 No 281 |
|  | rep 2002 No 204 |
| Schedule 14AA | ad 1999 No 164 |
|  | rep 2003 No 52 |
| Schedule 14B | ad 1994 No 313 |
|  | rep 2008 No 174 |
| **Schedule 15** |  |
| Schedule 15 | ad 1987 No 97 |
|  | am 1990 No 333; 1991 No 413 |
|  | rep 1987 No 156 |
|  | ad 1997 No 383 |
|  | am 2004 No 107; 2012 No 119; F2017L01645 |
| Schedule 16 | ad 1987 No 156 |
|  | rep 1989 No 59 |
|  | ad 1993 No 322 |
|  | rep 1996 No 281 |